United Nations S/PV.4844

Security Council

Fifty-eighth year

Provisional

4844th meeting

Thursday, 16 October 2003, 10 a.m.

New York

President:	Mr. Negroponte	(United States of America)
Members:	Angola	Mr. Gaspar Martins
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Tidjani
	Chile	Mr. Maquieira
	China	Mr. Wang Guangya
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Guinea	Mr. Sow
	Mexico	Mr. Aguilar Zinser
	Pakistan	Mr. Akram
	Russian Federation	Mr. Lavrov
	Spain	Mr. Arias
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry

Agenda

The situation between Iraq and Kuwait

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03-56238 (E)

The meeting was called to order at 10.45 a.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

The President: I join other Council members in welcoming the presence of the Secretary-General, Mr. Kofi Annan.

The Security Council will now begin its consideration of the item on the agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2003/992*, which contains the text of a draft resolution submitted by Cameroon, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Angola, Bulgaria, Cameroon, Chile, China, France, Germany, Guinea, Mexico, Pakistan, Russian Federation, Spain, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: The draft resolution received 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1511 (2003).

I now give the floor to the Secretary-General.

The Secretary-General: May I commend the members of the Security Council for having reached this significant agreement on what, obviously, is a particularly important resolution to address the complex situation in Iraq. The process has been difficult. But the outcome is a clear demonstration of the will of all the members of the Security Council to place the interests of the Iraqi people above all other considerations.

Our common objective is to restore peace and stability to a sovereign, democratic and independent Iraq as quickly as possible. It is critical to the Iraqi people, the region and the entire international community that we succeed in reaching the goal of an Iraq that is at peace with itself and with its neighbours, and is contributing to stability in the region.

As Secretary-General, I shall do my utmost to implement the mandate established by the Security Council, bearing in mind the constraints on building up the required capacity and my obligation to care for the safety and security of United Nations staff. I am grateful to the Council for the flexibility that the new resolution gives me in this respect.

Although at this moment the United Nations has only a skeletal presence on the ground, we are determined to continue helping the Iraqi people as best we can, from both inside and outside the country, primarily in providing humanitarian assistance.

As circumstances permit, I plan to proceed with the other tasks indicated in the resolution. I have no doubt that we all look forward to the earliest possible establishment of an elected Government that will return Iraq to full sovereignty.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): An overall appraisal of resolution 1511 (2003), which we have just adopted, is contained in the joint French-German-Russian statement distributed to members. In addition, we should like to emphasize that, from the moment that work on the draft resolution began, the Russian Federation was guided by the objectives of promoting the earliest possible political settlement, under United Nations auspices, of the situation in Iraq; helping the Iraqi people to regain their sovereignty; and preventing a situation whereby the Iraq crisis would destabilize the situation in the region.

A continuation of the trends towards a crisis in Iraq serves no one's interests. Therefore, it is essential that international efforts be united in the search for a long-term and stable political settlement that will enable the Iraqi people to take their country's leadership into their own hands through a legitimately elected Government and that will allow Iraq's neighbours to feel secure.

We are pleased that, as a result of the efforts of Russia, France, Germany, China and other members of

the Security Council — together with those of the Secretary-General — we were able, during the course of negotiations with the draft resolution's sponsors, to arrive at a resolution that provides a real chance for the Iraqi situation to make a transition from the occupation phase to a phase of practical measures to restore Iraqi sovereignty.

The resolution unambiguously stresses the Iraqi people's right to determine its own political future and to manage its own natural resources. There is provision for the elaboration of a specific timetable for the political process, including the adoption of an Iraqi constitution and the formation of a Government through democratic elections. There is recognition of the significance of support on the part of States in the region — first and foremost Iraq's neighbours — for that process, and emphasis is placed on the need to undertake concrete measures at this stage to transfer leadership and administrative functions to the Iraqis themselves. With the election of an internationally recognized Government of Iraq, the authority of the occupying Powers will completely end.

Although under the current circumstances — in which Iraq has lacked security — the United Nations has not been in a position to play a full-fledged role in bringing order to the country, the resolution gives the Secretary-General the right to take decisions, within the framework of the political process, regarding timetables and modalities for, inter alia, forming the membership of a constitutional conference and the holding of elections. We are convinced that, as the Iraqi situation is stabilized, the United Nations will carry out the powers reserved to it in the spheres where it truly can and must lead. It is an important matter of principle that the Secretary-General report to the Security Council on the course of the political process in all of its aspects.

Yet another very important point is the agreement on the mandate approved by the Security Council for the multinational force. In the final, agreed version, its functions — as Russia believes — are subordinate to the tasks of promoting the restoration of Iraq's sovereignty, and as soon as that happens the multinational force's mandate will expire. If the legitimately elected Government of Iraq requests some form of assistance to maintain security, then the Security Council will consider such a request. This provision of the resolution — along with the regular reports that it requires of the Secretary-General, the leaders of the multinational force and the Coalition Provisional Authority — guarantees permanent Security Council control over the political settlement and the overall restoration of Iraq. The Council can make the necessary amendments to that process.

In the economic sphere, the resolution recalls the need to ensure complete transparency in the activities of the Development Fund for Iraq, including through the swift establishment of an International Advisory and Monitoring Board, whose formation has clearly been delayed for too long without any convincing reason. The resolution also fails to address such pending issues as the problem of Iraqi weapons of mass destruction, the fate of those missing in action during the course of the first Gulf War and Kuwaiti property. However, it is clear that the Security Council will still have to address those problems, in conformity with resolution 1483 (2003).

On the whole, of course, the new resolution is not ideal. Not all of its provisions have managed to provide for the necessary conditions. The result we have achieved is a compromise that does not resolve all the problems. However, at this stage, in the light of all the factors, we see more pluses in the resolution than minuses. It is fundamentally important that, during the negotiations, we were able to achieve a consensus in the Security Council — something to which Russia attached priority significance from the outset.

Now, all of us, as members of the international community — and first and foremost the occupying Powers — must do our utmost to accomplish the fundamental task set out in the resolution, to see to it that the day will come as swiftly as possible when the Iraqis can manage their own future. Once again, we emphasize that the resolution provides the conditions necessary for that. Our overall obligation is to do everything we can so that the goals set out in the resolution do not remain dead letters but are actually implemented. Only then will the efforts expended to reach agreement on the resolution be justified.

Mr. Pleuger (Germany): I, too, would like to welcome the presence of the Secretary-General at this meeting. We would like to make a few comments relating to our vote.

The resolution just adopted takes up important concerns of the post-war order in Iraq. It further develops the preceding resolutions 1483 (2003) and 1500 (2003), on Iraq, and contains new emphases. In

our view, the sponsors of resolution 1511 (2003) have undertaken commendable efforts to reach a text that accommodates important claims we have made. That we expressly recognize, and that was one of the factors for our approval.

Another factor was that we and the sponsors share the same goals in Iraq: to contribute to a swift stabilization of the conditions in Iraq, to support the political and economic reconstruction process in Iraq, and to promote the restoration of the Iraqi people's sovereignty through a Government democratically elected by them. That can succeed only when the Security Council appears as unified as possible. We therefore did not want to stand in the way of Council unity.

Although we consider the resolution to be an important step in the right direction, we remain of the view that integration of the amendments presented by Germany, France and the Russian Federation could have led to a better resolution.

We miss the clear signal that the transfer of sovereignty to the Iraqis will be accelerated. The role of the United Nations, and in particular of the Secretary-General, could have been strengthened even more. The Council, too, is incorporated rather sparingly into the development.

Finally, we would have wished for clearer guidelines also with regard to timing. The latter seems important to us because only in this way can it be made clear that the current political status of Iraq is a temporary one. In this context, I refer to the joint statement of Russia, France and Germany explaining our common position. We therefore cannot envisage any military commitment.

We remain, however, firmly optimistic that an even broader involvement of the United Nations — and in particular of the Secretary-General — the Iraqi people and the neighbours in the region in the reconstruction process in Iraq will succeed.

Mr. De La Sablière (France) (*spoke in French*): At the outset, I welcome the presence among us of the Secretary-General at this important meeting.

France, Germany and Russia decided to support the resolution we have just adopted and to agree on the text of a joint statement to be issued here in New York.

With so much at stake, we feel that the text of the resolution should have gone farther. It would have been extremely desirable in particular for a clear text to set nearer and stricter deadlines for the transfer of responsibilities and the political transition. We also remain convinced that, in order to allow for the reconstruction and stabilization of Iraq, the sovereign assumption by the Iraqis of their own destiny is a necessary starting point to restore political prospects for the Iraqis; to marginalize those in Iraq who have chosen violence; and to mobilize the international community on behalf of Iraq. Furthermore, we believe that it is absolutely necessary for the United Nations to play a lead role in assistance to the Iraqi people in successfully managing the political process.

We recognize, however, that the authors of the resolution, throughout the negotiations, took a number of our amendments into consideration — with regard, for example, to the roles of the Security Council and the Secretary-General or to transparency in the use of the Development Fund for Iraq. The text can also create institutional momentum in the right direction.

In the context of the spiral of violence and terrorism in Iraq and of extreme tension in the Middle East as a whole, we wish to make unity in the Council a priority. We wish to believe that today's resolution marks a first step that we feel will be followed by others, equally indispensable.

Sir Emyr Jones Parry (United Kingdom): The unanimous vote this morning in favour of the resolution, in the presence of the Secretary-General, is excellent news for the people of Iraq, for the Security Council and for the United Nations.

Throughout the constructive negotiations that characterized the preparation of this resolution, the United Kingdom saw three main objectives for the resolution: first, to confirm and accelerate the transfer of power to the people of Iraq; secondly, to send a clear signal that the international community is committed to the rapid political and economic reconstruction of a free Iraq which is secure and stable; and thirdly, to ensure, as conditions permit, a strengthened, vital role for the United Nations, in partnership with the Coalition Provisional Authority and, most importantly, with the Iraqi people.

On the transfer of power, the resolution we have adopted is quite clearly about giving control of Iraq to its people as quickly as possible. Quite rightly,

however, the resolution does not prescribe to the Iraqis artificial schedules for that transfer. Instead, it puts the people of Iraq in the driving seat through the Iraqi interim administration. It reaffirms Iraq's sovereignty and territorial integrity and the temporary nature of the Coalition's powers. It adds increased impetus, structure and clarity to the political process. It sets a deadline of two months from today by which the Governing Council should provide a timeline and the programme leading to an Iraqi constitution and democratic elections, and it engages the Security Council in this process. As I argued during the negotiations, it does not rule out moving to a provisional Government if that is likely to lead more rapidly and in more stable conditions to a democratic Iraq.

On the commitment of the international community, the resolution encourages United Nations Member States and international bodies to support the reconstruction of Iraq, including in particular through substantial pledges at the Madrid International Donors Conference. It builds on the international efforts which already involve over 30 countries in Iraq today by establishing a multinational force that will help protect the United Nations mission and ensure the conditions of security and stability needed for political and economic reconstruction to succeed.

On the part played by the United Nations, the resolution we have adopted gives the Secretary-General discretion to strengthen that role. Indeed, it asks him to do so across a wide range of areas he had previously identified, including in national dialogue, consensus-building and the electoral and constitutional processes. While the underlying assumption in this resolution is that the Council wants the United Nations to play an enhanced role, it also reflects realities on the ground. It will be for the Secretary-General rightly to determine the exact role as circumstances permit, but the United Kingdom welcomes the Secretary-General's statement this morning and looks forward to working with him and the Secretariat on the implementation of this resolution.

This resolution focuses on the practicable, not the theoretical; on what will work for the Iraqi people as the processes under way move forward, not on some blueprint imposed from New York. The United Kingdom hopes and believes that this unanimously adopted resolution represents a further strengthening of our joint efforts, supported by the unique expertise of the United Nations, to build a better Iraq. As the resolution makes clear, progress in Iraq will be all the more swift if we put aside the divisions of the past, as we have done this morning, and put foremost in our minds the need to unite in order to meet the current needs of the Iraqi people.

To that end, the success of this resolution will be secured if all of us in the Council and in the international community now mobilize to give effect to the signal we have sent. We are united in wanting to secure as rapidly as possible a democratic, secure and stable Iraq governed by Iraqis for Iraqis.

Mr. Wang Guangya (China) (*spoke in Chinese*): The Chinese delegation welcomes the Secretary-General and thanks him for his important statement.

The Chinese delegation voted in favour of resolution 1511 (2003), which the Security Council has just adopted. In view of the situation in Iraq and the common aspirations of the international community, China consistently maintained that it was necessary for the Security Council to adopt a new resolution so as to help Iraq to achieve peace and stability, restore sovereignty and bring about economic and social development as soon as possible.

The text of resolution 1511 (2003) is a marked improvement over that of the original draft presented by the delegation of the United States. It incorporates a number of reasonable ideas and suggestions from all the parties concerned, including China. The resolution will undoubtedly have a positive impact on the endeavour to promote the political process in Iraq, accelerate the transfer of power from the Coalition Provisional Authority to the Iraqi people, gradually strengthen the role of the United Nations and increase transparency in Iraq's economic reconstruction. Those are the reasons why we voted in favour.

There is a broad consensus of all the parties that — as is the fervent desire of the Iraqi people — a leading role should be ensured for the United Nations in the political process in Iraq, and that there should be an early restoration of Iraq's sovereignty, in order to achieve the goal of an Iraq run by the Iraqi people. Like many other Member States, we have consistently held that the resolution should contain clear and explicit provisions on these major questions. To that end, we adopted a forward-looking and practical approach during consultations, with the earnest hope of achieving broad consensus among Council members.

During consultations on the draft, France, Germany, Russia and many others put forward a series of sound suggestions, and the Secretary-General also made some important comments. We emphasized on many occasions the need for the sponsors of the draft resolution to accord those suggestions serious consideration, and it would have been better if it had incorporated more of them. The fact that we voted in favour of the resolution, therefore, does not mean that we are fully satisfied with its contents.

The Security Council has an obligation and responsibility to remain actively seized of the matter. It has adopted almost 70 resolutions on the question of Iraq. Resolution 1511 (2003) will not be the last. As the situation develops there, the Security Council should further consider, in a timely fashion, such questions as how to reinforce the important role of the United Nations in the Iraqi political process and how to speed up the restoration of sovereignty to Iraq.

It should be pointed out that history and experience have proved that a definitive and desirable solution to the Iraqi question calls for concerted efforts and extensive participation by the international community. In this regard, the views of the vast majority of the Arab and Islamic countries, especially Iraq's neighbours, should be fully respected.

I conclude by reiterating that the Chinese Government and people are greatly concerned about the current situation in Iraq and attach importance to the country's political and economic reconstruction. We hope that, with the strong support of the international community and the active assistance of the United Nations, Iraq, which has suffered so greatly from the hardships of war, will see the early restoration of its sovereignty and embark on the path of peace, stability and development. China is ready to continue to work tirelessly to contribute to that end.

Mr. Akram (Pakistan): I join my colleagues in welcoming the Secretary-General at this important meeting.

Pakistan is happy that the Security Council was able to act unanimously on the resolution, and we commend the flexibility demonstrated by all Council members. Pakistan voted in favour of the resolution, and I would like to say a few words to explain our position.

Pakistan's position, both before and after the war in Iraq early this year, has been guided by our concern for the welfare of the fraternal people of Iraq and for their country. Pakistan did not support the war. In its aftermath, our concern has been to ensure the provision of humanitarian assistance to the suffering Iraqi people, to restore the security and stability of their country and to ensure the earliest restoration of its sovereignty and political independence.

The resolutions adopted by the Security Council since the war — resolutions 1472 (2003), 1476 (2003), 1483 (2003) and 1500 (2003) — were, in our view, designed to take the first steps towards realizing those objectives. Several steps have been taken towards those objectives in Iraq, including the organization of humanitarian assistance, the revival of administrative structures and the establishment of a Governing Council which was considered by the Security Council to be broadly representative.

Unfortunately, the situation in Iraq has evolved in ways that have aroused regional and international concern. In particular, the security environment has not improved. Attacks have occurred on the foreign military and civilian presence in the country. Tragically, even the United Nations, present in Iraq to assist the Iraqi people, was targeted in the devastating attack of 19 August, costing the lives of 22 United Nations personnel, including the head of the United Nations Mission, Sergio Vieira de Mello. Since then, guerrilla and terrorist attacks have occurred with numbing regularity, as listed in the fifth preambular paragraph and operative paragraph 18 of the resolution.

We viewed the initiation of the resolution as an opportunity to address those concerns and to create a structure that could lead to the early restoration of Iraq's sovereignty and political independence. We supported the resolution because, despite the complexity and contradictions of parts of the text, we believe that its fundamental objectives are the restoration of sovereignty and the transfer of authority to the people of Iraq, the improvement of the security environment, the promotion of economic reconstruction and the expeditious provision of relief.

The resolution would have gained considerably in clarity and credibility if it had clearly stipulated the principles which should guide the political transition and the maintenance of security and reconstruction in Iraq: respect for Iraq's political independence, unity

and territorial integrity; the right of the Iraqi people to choose their own political destiny and form of Government; permanent sovereignty and control over their natural resources; and non-intervention and non-interference in their internal affairs.

We would also have liked a clearer process for the early restoration of Iraq's sovereignty and the quick transfer of power and authority to the Iraqi people to enable them to control their political future and their economic resources. That is an inalienable right of the people of Iraq, and, like other peoples, they are entitled to exercise that right without unnecessary delay.

Nevertheless, we have noted that the text reaffirms the temporary nature of the exercise by the Coalition Provisional Authority of its specific responsibilities and obligations under international law. We hope that the timetable that has been indicated in the text will be accelerated with a view to ending occupation expeditiously and that the Iraqi interim authority will be quickly constituted through a broad and inclusive political process incorporating political elements which at present remain outside the Governing Council.

The political process for the restoration of full Iraqi sovereignty would have gained in credibility and acceptability within Iraq and internationally if it had been conducted under the authority and auspices of the United Nations. We understand the concerns and constraints of the Secretary-General, which prevent the presence of United Nations international staff on the ground in Iraq. The security environment must improve in order to enable the United Nations and other international organizations to play a full and impartial role in Iraq's transition to political independence. Yet the supervision of that process by the United Nations can itself contribute to creating the confidence among the Iraqi people that is essential to promoting a climate of security. We therefore trust that the circumstances referred to in the resolution which would enable the Secretary-General to play an active role in Iraq's political process will arrive as soon as possible.

Pakistan is confident that despite the tragedy of 19 August, the United Nations will not be prepared to abdicate its responsibilities to the Iraqi people. We welcome the Secretary-General's statement this morning in that context. A United Nations role in overseeing and assisting the political transition in Iraq can be discharged, in our view, without incurring unacceptable risks to United Nations personnel.

The deployment of credible military capabilities in Iraq is no doubt essential at present to create an environment of security within which the political process and Iraq's reconstruction can be implemented. However, the forces deployed must be acceptable to the Iraqi people and must evoke their full cooperation. Otherwise, they will be unable to impose security. On the contrary, their presence might intensify insecurity.

It is for that reason that, during our consultations on the draft resolution, Pakistan consistently advocated that the multinational force which was to be created should have a identity separate and distinct from the occupation forces and that its deployment should be the result of an invitation from the Iraqi people and should take place with the concurrence of the other States of the region. Unfortunately, those considerations could not be reflected in the resolution we have just adopted. Under these circumstances, Pakistan will not be able to contribute troops to the multinational force in Iraq.

There are widespread concerns that the security situation in Iraq may deteriorate. To prevent that, the coalition Powers and those assisting them must be able to win the confidence of the Iraqi people and to convince them that they are working to promote their interests. Unless that aspect of the situation is fully addressed, there will continue to be resistance from those in Iraq who feel excluded from the political process — apart from the additional dimension of terrorism, which has emerged with greater frequency in Iraq.

We are all agreed that this resolution is not the last word on Iraq. Pakistan continues to believe that the international community would do well to open a process of broad consultations which would involve the Iraqi people and the Arab and Islamic countries in order to evolve a consensus on how best to restore Iraq's sovereignty and political independence, improve its security environment and promote its reconstruction. Pakistan stands ready to contribute to such a process. We are deeply committed to ensuring the welfare of the Iraqi people, restoring their sovereignty and political independence, ensuring Iraq's unity and territorial integrity and promoting peace and stability in the entire region.

Pakistan shares strong bonds of faith, culture and history with the Iraqi people and with other States in

the region. We fully support their aspirations. We will extend all possible cooperation in ways and means acceptable to them to realize those aspirations.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): I, too, would like to welcome the presence at this meeting of the Secretary-General Mr. Kofi Annan. The Syrian Arab Republic joined the Security Council consensus and voted in favour of resolution 1511 (2003). We did so after consultations with the representatives of France, Russia, Germany and China and with the representatives of the other States elected to the Council, and after contacts between my country and countries with which we have relations of friendship and cooperation, among them Japan.

Even though the resolution does not respond to all our expectations, which are closely linked to the aspirations of the Iraqi people to freedom and independence, we hope that the resolution will represent an incentive and a further step along that road and that the commitments set out in the resolution will be fulfilled in order to accelerate the transfer of sovereignty to the Iraqis, with a view to the adoption of a constitution and the formation of an internationally recognized elected and representative Government. We hope too that the resolution will promote the role of the United Nations and the Secretary-General, especially because the stability of the situation in Iraq and the safeguarding of its sovereignty and territorial integrity are very important to Syria and other neighbouring countries and will have a positive impact on the situation in the region.

Syria will continue to make every possible effort to respond to the needs of the Iraqi people and will endeavour to alleviate their suffering and provide them with what they need for stability and security.

Mr. Arias (Spain) (*spoke in Spanish*): I wish to convey the Spanish delegation's unreserved satisfaction that this resolution, so important for the future of Iraq, was unanimously adopted. Spain was a resolute sponsor of the draft resolution, convinced that it constituted an important step towards improving the lives of the them and restoring to them control of their own destiny. We believe that the resolution is good news for the Iraqi people, for the region and for the United Nations. Iraq deserved — and deserves — the sincere consensus of the Security Council and its undivided support and unity. It is a people who have suffered three decades of dictatorship and who must see a better future before it. The resolution should help to achieve that.

The region will also benefit from a country that is moving towards normalcy and that certainly will have the cooperation of neighbouring countries and the international community.

Lastly, it is good news for this Council and the United Nations, because differences of the past are being reduced. From the unity, which we trust will be unrestricted, we will be able to make efforts that will be beneficial to those who most need them — in other words, the people of Iraq.

I would like to express best wishes for the donors conference in Madrid, to which this resolution gives the momentum that many of us wanted and called for. We believe that that conference can and must be a milestone in the development of the Iraqi people.

Mr. Tafrov (Bulgaria) (*spoke in French*): I welcome the Secretary-General to the Council and thank him for his introductory remarks, as well as for his important contribution to the discussions that preceded the adoption of this resolution.

Bulgaria has just voted in favour of resolution 1511 (2003). My delegation is extremely gratified at its unanimous adoption because it believes that, first, the resolution sends a strong political message to the Iraqi people to tell them that the time when they will regain full control over their own destiny is now within reach. The interim Governing Council is now officially recognized as an interlocutor with the international community in Iraq. Bulgaria welcomes this.

Secondly, the resolution sends the message to the international community, which is encouraged to give the Iraqis its full support in the reconstruction of their country. For its part, Bulgaria will continue to help Iraq — a country with which we have close, friendly ties — particularly through the participation of a Bulgarian contingent in the newly created multinational force.

Throughout the discussions on the text of the resolution, my delegation insisted that it take into account the wish of the Secretary-General to have maximum flexibility in carrying out the United Nations mandate in Iraq, depending on the situation on the ground — especially the security situation — so as not to subject United Nations staff to unnecessary risk. I

wish to thank the sponsors of the resolution for accepting this proposal from the Bulgarian delegation.

The positive political message in the resolution we have just adopted was considerably broadened in the way it was adopted — that is, unanimously. Ultimately, the positions of the majority of the Council members turned out to be not so different as we might have believed at first. We welcome the fact that a last effort was made to allow for that unanimity to emerge.

There can be no doubt that this will not be the last Council resolution on Iraq. Others will follow on the path set out in resolution 1511 (2003) in order to foster the emergency of a sovereign, united, stable and democratic Iraq.

Mr. Maquieira (Chile) (*spoke in Spanish*): I would like to welcome the Secretary-General to our meeting today and to thank him for his statement.

Chile voted in favour of the resolution for the following reasons. Its adoption opened a new stage in the political, economic and social reconstruction of Iraq. This resolution should be analysed, along with other Security Council resolutions that gradually transmit authority to the United Nations in the post-conflict phase.

The resolution contains a number of measures for political transition and the role of the Untied Nations. In the political sphere, before 15 December the Governing Council will have to send to the Security Council a timetable for drawing up a new constitution and for holding democratic elections. Similarly, in view of the complexity of the security situation, the resolution allows that it be the Secretary-General who decides, in the final analysis, on participation of United Nations staff in the process. This is an essential point for the Organization to be able to carry out its functions efficiently. In this context we ask the Secretary-General to inform the Security Council of progress made in the process of transferring power to the authorities and people of Iraq, and the responsibilities and powers of government.

Moreover, there will be a constitutional conference that, if it is broadly representative, will be a milestone for the full restoration of the Iraqi people's sovereignty. Also, we envisage an important role for the United Nations in various reconstruction efforts. These include the facilitating of a national dialogue, electoral and humanitarian assistance, the promotion of human rights, help in developing civil society, training the police and judicial and public administration reform.

If we compare the resolution adopted with the initial text, we can see that there is a series of important changes and developments and a multilateral focus to tackle the situation in Iraq.

Finally, the general consensus we have achieved today is an example of the Security Council's ability, in spite of the divisions that have arisen, to arrive at understandings, of which the Iraqi people should be the only beneficiary.

The President: I shall now make a statement in my capacity as representative of the United States.

First, let me again thank the Secretary-General for his presence here today, his important statement and his commitment to lend his full support to the implementation of resolution 1511 (2003).

Today's vote is a vote for the future of Iraq. By its unanimous adoption of this resolution, the international community has demonstrated its wholehearted support for the people of Iraq.

During the past six weeks, we have engaged in intense and constructive discussions about the role of the international community in Iraq. My Government has listened carefully to the concerns of each Council member, and we greatly appreciate the thorough exchange of views. The end result of our dialogue is a strengthened resolution, a resolution that will enlarge the international community's participation in Iraq's stabilization and reconstruction. Extending both hands to a key country in a strategic region will serve our mutual interests in peace and security.

We started these discussions in the wake of the devastating trio of terrorist bombings in Baghdad: at the Jordanian embassy, United Nations headquarters and the Imam Ali mosque. Those actions represented an assault on the new Iraq, as did the tragic assassination of Governing Council member Dr. Akila al-Hashimi. To meet this challenge, it was necessary to recommit the international community and, in so doing, expand the opportunities for participation by Member States, regional organizations and the United Nations.

In crafting this resolution, we never lost sight of conditions on the ground. Our consistent aim has been to support the Iraqis and those who have joined them in

this unprecedented stabilization, reconstruction and recovery effort.

The resolution has four key elements. First, it confirms Iraqi leadership in establishing a political horizon for the transfer of power and makes clear that the interim Iraqi leadership embodies Iraqi sovereignty during the transition. In this regard, the resolution also reaffirms a point that the United States has never left in doubt: the exercise of governmental authorities in Iraq by the Coalition Provisional Authority is temporary in nature. We will not waver from our stated objective of transferring governing responsibilities and authorities to the people of Iraq as soon as practicable.

Secondly, in addressing the crucially important process of political transition, the resolution provides for an expanded United Nations role, commensurate with the United Nations unique experience and expertise, subject to United Nations capacity in Iraq.

Thirdly, the resolution establishes a United Nations authorized multinational force under unified United States command and provides a platform for contributions to the training and equipping of Iraqi police and security forces.

Fourthly, the resolution encourages the international financial institutions and others to provide significant and sustained contributions to the reconstruction and development of Iraq's economy as tangible proof of their commitment to the economic health and political stability of Iraq.

By addressing the triad of politics, economics and security, the resolution offers a solid base for expanded international engagement. My Government's careful consideration of text during these past weeks reflects our commitment to a multilateral approach to this compelling matter. We welcome those who have joined us, including of course the co-sponsors, and urge all States to review how they might best contribute to Iraqi efforts to forge a better future. If there ever was a time to help Iraq, it is now.

I resume my function as President of the Council.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of this matter.

The meeting rose at 11.45 a.m.

United Nations S/PV.4845

Security Council

Fifty-eighth year

Provisional

4845th meeting

Thursday, 16 October 2003, 12.20 p.m.

New York

President:	Mr. Negroponte	(United States of America)
Members:	Angola	Mr. Lucas
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Tidjani
	Chile	Mr. Maquieira
	China	Mr. Zhang Yishan
	France	Mr. Florent
	Germany	Mr. Pleuger
	Guinea	Mr. Sow
	Mexico	Mr. Pujalte
	Pakistan	Mr. Khalid
	Russian Federation	Mr. Karev
	Spain	Mr. Quintero
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry

Agenda

Threats to international peace and security caused by terrorist acts

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-56250 (E)

The meeting was called to order at 12.20 p.m.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security caused by terrorist acts

The President: I should like to inform the Council that I have received letters from the representatives of Armenia, Azerbaijan, Brazil, Colombia, Ecuador, India, Indonesia, Israel, Italy, Japan, Kazakhstan, Lebanon, the Libyan Arab Jamahiriya, Liechtenstein, Peru, South Africa, Switzerland, Uganda and Yemen, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: If I hear no objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Inocencio Arias, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

There being no objection, it is so decided.

I invite Mr. Arias to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. At this meeting the Security Council will hear a briefing by His Excellency Mr. Inocencio Arias, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

I now give the floor to Ambassador Arias.

Mr. Arias (*spoke in Spanish*): I speak today as Chairman of the Counter-Terrorism Committee (CTC) in order to brief you on the status of its work, and to submit to you the ninth work programme for the months of October to December 2003.

On 4 October, I completed six months as Chairman of the Committee. It has been a period in which a great deal of serious work has been done on our task of monitoring the implementation of resolution 1373 (2001). There is no need to reiterate here the importance of the Security Council's work in the international community's fight against the threat to peace and security represented by terrorism in all its forms and manifestations, but I believe it is appropriate to emphasize that our Committee represents the consensus shared by all Members of the United Nations that affirms that it is necessary to struggle, by all means, in accordance with the Charter of the United Nations, against acts of terrorism.

Before presenting a brief summary of the content of the ninth work programme, I shall refer briefly to the implementation of what was agreed to in the eighth programme. With regard to the implementation of resolution 1373 (2001), the Committee has continued reviewing the reports submitted by States in response to the letters addressed to them by the Committee. It should be noted that the rate of review has slowed down somewhat compared to previous periods because we are gradually entering a more complex phase of our work.

As States move from stage A, which basically relates to verifying that adequate anti-terrorist legislation is in place, to stage B, which focuses on the actual implementation of these measures, the Committee has taken more time to review reports and draft letters.

It has become necessary to find a balance between the amount of attention given to stage A and stage B States. For that purpose, we have prepared a working paper on the criteria for the drafting of letters and the need to give attention to all States in line with the principle of equal treatment, while providing the essential flexibility that will allow the Committee to maintain the proper follow-up of States' efforts to implement the provisions of Security Council resolution 1373 (2001).

In our work ensuring that all States become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, the CTC considered specifically the issue at one of its

meetings, during which its team of experts presented a report on the status of State participation and of the positive impact of resolution 1373 (2001) and of the work of the Committee itself.

Secondly, on the working methods of the Committee, we have continued our efforts to apply the criteria of coordination, transparency and equality of treatment to the circumstances of each case.

Thirdly, in the field of technical assistance, we are still working to ensure that the Committee takes an increasingly active approach to its collaboration with those States which, although they have a real political will to implement resolution 1373 (2001), are nonetheless facing difficulties in doing so.

Fourthly, with regard to transparency, the Committee's web page has been completely redesigned so as to be consulted as easily and quickly as possible. The English version is now fully operative and in the next few days the French and Spanish will also be ready. Lastly, the web page will also be available soon in Arabic, Chinese and Russian.

Fifthly and lastly, in the context of cooperation with international, regional and subregional organizations, ties have been strengthened between the Committee and those who are working more directly in the fight against terrorism.

On 7 October 2003, a second meeting was held with such organizations at the headquarters of the Organization of American States, in Washington, D.C., at which a great deal of information was exchanged. The Committee is pleased to have initiated this coordination process between international organizations and notes with satisfaction that it will continue in the future, since the next meeting has already been scheduled for March 2004 in Vienna.

We have also taken steps to assure proper coordination between the CTC and the Committee established under Security Council resolution 1267 (1999). Both chairs have conducted a meeting with our respective experts, in which it was agreed that there will be periodic meetings to ensure better coordination between these two bodies.

Now I would like to address the general outlines of the ninth report, which run from October to December 2003. By 30 September 2003, the committee had received 419 reports from Member States and others. This includes 191 initial reports from Member States and five from others, 100 second reports from Member States and 2 from others and 71 third reports from Member States. It is important to note that to date, all Member States of the United Nations have submitted their initial reports.

Nevertheless, by 30 September 2003, 48 States were late in submitting their reports. In accordance with the obligation of transparency in our work, the Committee has agreed that the Chairman will submit to the Security Council, no later than 31 October 2003, a list of States which have not yet submitted their reports on time as of that date. I therefore take this opportunity to reiterate to the representatives of States that are late that they should submit their reports as soon as possible. In any case, it should be remembered that the focus of the Counter-Terrorism Committee is on cooperation. We are therefore at the disposal of those States, not only to assist them in the submission of their reports but also to work with them in overcoming any problems responsible for the delay. I repeat that our team of experts will address any questions they deem it appropriate to address.

With regard to the Committee's work, we will continue to follow closely the development of the flow of information exchanges with States through, among other means, letters and reports. Technical assistance will continue to be one of the main priorities of our work, as will ensuring adequate coordination of counter-terrorism efforts by international and regional organizations in combating terrorism.

With regard to transparency, reference has already been made to progress in revamping the Committee's Web site. I am grateful for the work done in that regard by the Secretariat team, the Department of Public Information and the translation services of the United Nations.

I conclude by noting that the chairmanship of the Counter-Terrorism Committee is aware of its responsibility to do all it can to ensure that the Committee works at an appropriate pace and functions effectively. Here I draw attention to paragraph 21 of the ninth work programme, which provides that the chairmanship shall submit to the Committee, for subsequent evaluation by the Security Council, a report on problems being encountered by States in the implementation of resolution 1373 (2001) and on difficulties being experienced in the same regard under the present structure and functioning of the Counter-

Terrorism Committee itself. The purpose of that report will be to identify major issues in order eventually to debate possible measures to be taken by both the Committee and the Security Council to solve them. All that will be done in order to ensure that the obligations contained in resolution 1373 (2001) are met as fully and rapidly as possible by all Member States.

The President: On behalf of the Council, I thank Ambassador Arias for his comprehensive briefing and for his leadership of the Counter-Terrorism Committee.

I would also like to make a procedural comment. There remain on the speakers' list the members of the Council and 19 non-members. Ambassador Pleuger has graciously agreed to postpone this afternoon's meeting to prepare the Afghanistan trip until 10.30 tomorrow morning, in order to free up time for us to continue this important discussion today. We will therefore break for lunch a little after 1 p.m. and then resume at 3 p.m. sharp to continue the discussion.

Mr. Tidjani (Cameroon) (*spoke in French*): The sad memory of those who died in Baghdad on 19 August 2003, in the United States on 11 September 2001, in Bali on 12 October 2002, and more recently in Morocco and many other parts of the world is a timely reminder of how vulnerable the world still is to terrorism.

This is a new type of terrorism in its methods, intolerance, wantonness and cowardice. It attacks all of society, inflicting indescribable suffering upon the peoples of the United Nations and plunging them into what Voltaire described as convulsions of anxiety — to which one might add fear. It poses a serious threat to our most basic right: the right to life, a peaceful life, based on love, fraternity, justice and solidarity. Terrorism is therefore a matter of great concern, a threat to international peace and security.

We have refused to give in to the diktat of terrorism. We have not given up; to the contrary, we have decided to react firmly and with perseverance. We have defined a mobilizing strategy that is daily being honed by the Committee established pursuant to resolution 1373 (2001) to confine this monster and fight more effectively against it.

The success of our collective struggle necessarily requires a firm commitment by all international actors and the strengthening of cooperation between all States, on the one hand, and, on the other hand, between States, international, regional and subregional organizations and civil society.

However, we will not achieve maximum collective security unless we develop a real policy to exchange information, experiences and assistance. My delegation believes that to be fundamental.

Against that backdrop, we believe that as a purely legal matter there is an urgent need for an overall international regulatory instrument to combat this evil. Although there is an impressive body of anti-terrorism conventions, there are gaps, due to the sectoral nature of current measures. On that precise point, I recall with regret that political differences are delaying consensus in the Sixth Committee on the drafting of an overall convention and a convention for the suppression of acts of nuclear terrorism.

It would be suicidal for the international community as a whole to continue to be passive spectators in the face of the risk to all humankind of the use of weapons of mass destruction by terrorists.

The effectiveness of our struggle also depends on improving the international environment by eliminating situations of injustice and poverty, which feed intolerance and hatred.

Cameroon welcomes the largely positive work done by the Counter-Terrorism Committee. In its two-year existence it has received an impressive number of reports — over 419; it has contributed greatly to consolidating consensus on the objectives and modalities of the struggle against terrorism, and to strengthening national anti-terrorism capacity as well as international cooperation in this sphere; and it is helping to promote existing conventions, where its effectiveness is illustrated by the growing number of States parties.

The Counter-Terrorism Committee has become the best tool to coordinate dynamic cooperation between States and international and regional organizations.

We owe all of that to the tenacity of a dedicated and effective team, energetically presided over by our colleague Ambassador Inocencio Arias, to whom I once again express our full confidence and convey our encouragement. The new programme covering the next 90 days, which he has just presented to us, is very ambitious in its objectives and pragmatic in its approach. My delegation fully supports that

programme, and very much looks forward to the report that the Committee intends to submit regarding the main problems encountered by States in implementing resolution 1373 (2001). We urge the Committee to submit periodically a report on the follow-up of the major recommendations of the Council.

Finally, we are convinced that, after two years of existence, the Committee could benefit from a process of self-evaluation in order to look to the future in practical terms and to remain effective in the fight against terrorism.

The frequency of public debates on this topic should not mean that they should be seen as a commonplace ritual — quite the opposite. They should enhance the awareness of almost all the peoples of the United Nations of the scope of this pernicious threat to our collective security.

The delegation of Cameroon is therefore grateful to you, Mr. President, for having agreed to the convening of a public meeting on this question.

Mr. Maquieira (Chile) (*spoke in Spanish*): We are grateful to Ambassador Inocencio Arias for his exhaustive and useful presentation of the programme of work of the Counter-Terrorism Committee for the next 90 days and also, in more general terms, for his efficient and effective guidance of the work of the CTC.

I should like first of all to say that the Chilean delegation associates itself with the statement to be made shortly by the Permanent Representative of Peru on behalf of the Rio Group. For that reason, I will underscore only a few aspects of the programme of work outlined to us by Ambassador Arias — those to which we attach the highest priority.

It is vital that, as is stated in the programme of work, the principles of transparency, cooperation and equal treatment continue to be applied in the work of the Committee. The joint action of the international community in the struggle against terrorism requires this. This is an initiative that is the responsibility of us all. The Committee, as we have said in the past, is making practical and effective efforts to apply these principles case by case; this is certainly what makes consensus possible and what gives legitimacy to our action.

We must move forward with practical measures in order effectively to confront the scourge of terrorism and to help all States to increase their capacity to prevent and react to actions of that nature.

Identifying the difficulties and the problems confronting States in the implementation of resolution 1373 (2001) is a vital task. We take note of the report which will soon be presented in this regard by the Chairman of the Counter-Terrorism Committee to the Security Council, which is referred to in paragraph 21 of the programme of work. That report, we believe, will be very useful in planning the future work of the Committee.

We welcome the fact that the Committee has continued to broaden its contacts and its cooperation with international, regional and subregional organizations. The 6 March meeting with those entities was followed by one on 7 October last, held in Washington under the auspices of the Committee on Terrorism of the Organization of American States. That exchange will now continue, on 12 March 2004, in Vienna, with European organizations. All of this work of cooperation and collaboration should lead to more concrete operational results.

Technical assistance to those States that need it should also be among our constant concerns. We know that the Committee is taking a more active and dynamic role in this field; the Security Council should ensure that this approach continues to be followed.

In connection with the reports of States to the Committee, the figures given to us today by the Chairman of the Counter-Terrorism Committee are encouraging. All States have completed their initial reports. A large number of States have completed the second report, and an equally large number have already submitted the third report.

Furthermore, the Committee has prepared a working paper on criteria for the preparation of draft letters addressed to those States that are beyond stage B, which, under the principles of transparency, cooperation and equal treatment, will allow for more dynamic assessments and contacts with States, which, ultimately, are the main protagonists of this joint effort.

For that reason, above and beyond numbers, what we need to underscore is the ongoing relationship between the Committee and States, so that they can contribute together to the resolution of their problems in the implementation of resolution 1373 (2001). It is relevant to recall that effectiveness in the fight against

terrorism, in the final analysis, depends on the responses of States and of international organizations.

At the global level, the threat of terrorism is one of the gravest and most urgent — one that transcends all geographic and cultural boundaries. Unfortunately, this meeting is further clouded by the criminal attack in Baghdad which took the lives of many staff members of our Organization, including the outstanding Latin American Sergio Vieira de Mello. It is our duty to redouble our efforts to defeat that scourge.

Resolution 1373 (2001) was the beginning of unparalleled cooperation aimed at effectively confronting the global challenge of terrorism, and it made the Counter-Terrorism Committee the focal point in a process of cooperation that must involve every country of the world. We welcome the fact that the new programme of work continues to envisage the taking of practical measures to increase the ways and means that States have at their disposal in the fight against terrorism.

Mr. Tafrov (Bulgaria) (*spoke in French*): At the outset, I should like, like previous speakers, warmly to thank the Chairman of the Counter-Terrorism Committee, Ambassador Inocencio Arias, for his presentation of the Committee's programme of work, as well as for the outstanding work he and his team in the Spanish Mission are doing in the context of the chairmanship of the Committee.

As an associated country of the European Union, Bulgaria aligns itself with the statement to be made shortly by the Permanent Representative of Italy on behalf of the European Union. I should like, however, to make a few comments in my national capacity.

The Counter-Terrorism Committee remains at the heart of efforts to combat the scourge of terrorism. That devastating scourge poses a threat to all of humankind. We are pleased that, during the past three months, the Committee has continued to work actively to implement Security Council resolution 1373 (2001).

We are grateful to Ambassador Arias, as I have just said, and to the team of experts of the Secretariat for their outstanding work. I should like also to add that my delegation fully agrees with the assessment of the activities of the Counter-Terrorism Committee just given by Ambassador Arias in his statement.

During the past period, positive results were achieved in terms of the implementation of resolution 1373 (2001). In this connection, we welcome the fact that all Member States have already submitted their initial reports. We should take note also of the fact that ongoing efforts have been made to ensure maximum transparency in the work of the Committee and to ensure progress in the area of cooperation with international, regional and subregional organizations.

By the same token, it should be noted that a great deal remains to be done with respect to the full implementation of the provisions of resolution 1373 (2001).

In this connection, I should like briefly to emphasize a few trends in the work of the Committee to which my delegation attaches particular attention.

First, we are aware that consideration of the report has been slowed down because of the complexity of the evaluation criteria used in stage B. Furthermore, we are concerned that 48 States have still not complied with the timetable laid down for the submission of reports. In this connection, we share the view that technical assistance should be facilitated for those countries requiring it. We welcome all of the efforts made to go from stage A to stage B, which would focus on the practical application of universally adopted counter-terrorism measures.

Secondly, my delegation attaches great importance to cooperation between the Counter-Terrorism Committee and regional and subregional organizations. Bulgaria supports strengthening contact and cooperation to combat terrorism between the Committee and the Organization for Security and Cooperation in Europe (OSCE).

The priorities of the Bulgarian chairmanship of the OSCE in 2004 will include giving final concrete form to cooperation with the Committee and with specialized agencies of the United Nations system. We hope that the joint meeting of the Committee and the OSCE, which is planned for 12 March in Vienna, will make a useful contribution to this. The seminars and other joint initiatives of the European Union and the OSCE make a valuable contribution to drawing up the necessary legislation and to strengthening the capacity and expertise of States in such areas as banking, customs and border control. We look forward to the seminar to take place on 7 November under the aegis of the Italian presidency of the European Union and of the European Commission.

Thirdly, my country reiterates its position that the struggle against terrorism should be waged with strict respect for human rights. Any action, whether at the national, regional or subregional levels, must be in accordance with the norms of international law and international humanitarian law. Terrorists should not have the slightest pretext for their hateful acts.

Fourthly, we share the concern of numerous delegations that the Committee's work should be given a more practical orientation. In this context, we support the Committee Chairman's idea of submitting to the Council a report on the difficulties encountered by Member States — and himself — in the implementation of resolution 1373 (2001).

Mr. Sow (Guinea) (*spoke in French*): Permit me to express my delegation's appreciation to Ambassador Inocencio F. Arias, Chairman of the Counter-Terrorism Committee, for his complete and detailed report on the Committee's work. We also congratulate him on his efficiency and dynamism.

This meeting gives us another opportunity to evaluate what has been accomplished in the implementation of resolution 1373 (2001).

Through its structure, working methods and mode of operation, the Counter-Terrorism Committee has contributed to a better understanding of terrorism and inspired trust among the different parties involved with a view to greater cooperation for the eradication of terrorism.

The submission of initial reports by 191 Member States and five other entities, of second reports by 150 Member States and two other entities, and of third reports by 71 Member States indicates in every respect the will and determination of the various actors to strengthen this cooperation. Nonetheless, we urge those States that have not met the deadline for submitting their reports to submit those reports as soon as possible. In this regard, we support the proposals of the Committee in paragraph 5 of its current programme of work (S/2003/995). We encourage the Committee to disseminate information on the progress made by States as well as on solutions to strengthen their ability to meet their obligations under resolution 1373 (2001).

My delegation attaches special importance to the working paper entitled "Criteria for the preparation of draft letters to States beyond Stage A". This suggests that the consideration of the passage of a State from one stage to another should be conducted carefully, in order to provide concrete responses to Member States' problems in implementing the resolution. For this purpose, the suggestions in paragraphs 8 and 9 of the programme of work deserve our fullest attention.

The question of assistance remains fundamental for strengthening the capacities of certain actors in the fight against terrorism. In this regard, we welcome the Committee's development of the Directory of Counter-Terrorism Information and Sources of Assistance. We appeal to the donor community to give greater attention to this question because the consequences of terrorism, which strikes where the international system is weakest, are unforeseeable. To this end, my delegation encourages increased cooperation between Member States and the Committee, which in our view should be the central mechanism for coordinating assistance.

We welcome the transparency with which the Committee is doing its work, especially through the regular information given to Member States and close contacts between experts and the institutions and bodies of the United Nations system. We appreciate the provision of a Web site, which is becoming an essential source of information regarding all questions relating to the implementation of resolution 1373 (2001).

In the framework of cooperation between the Committee on the one hand and international, regional and subregional organizations on the other, we are delighted by the work under way to implement the recommendations resulting from the meeting of 6 March 2003. My delegation believes that the Council should be informed of the conclusions of meetings of international, regional and subregional institutions and organizations, and of the results of contacts between the Committee and those institutions and organizations.

While underscoring the importance of coordination between the different entities of the United Nations system, we emphasize once again the need to strengthen cooperation between the Counter-Terrorism Committee and the Committee established pursuant to resolution 1267 (1999). These Committees have focal points of interest that, to a great extent, converge, just as they do with those of the Ad Hoc Committee established by General Assembly resolution 51/210.

As for the Committee's future activities, my delegation believes that the report that the Chairman intends to submit will shed further light on the

difficulties confronting certain Member States in their implementation of resolution 1373 (2001), and on the proposed solutions, as well as the prospects for a better functioning of the Committee.

The road leading to the eradication of terrorism is long and full of obstacles. The results achieved thus far by the international community indicate our shared determination to eliminate terrorism.

The Committee, through its work, has in many respects made clear the interdependence of terrorism and other forms of organized crime, and the existence of a global structure to combat terrorism. The entry into force on 29 September this year of the United Nations Convention against Transnational Organized Crime was undoubtedly another victory for our Organization.

The progress made by the Committee testifies not only to its determination to fulfil its responsibilities effectively and expeditiously, but also to the political will of States to shoulder their obligations.

My delegation welcomes the Council's renewed confidence in the Chairman and the entire Committee with the continuation of their mandates, and we assure them of our full support. We are convinced that today's debate will give rise to initiatives that can enrich our collective thinking in the fight against terrorism.

Sir Emyr Jones Parry (United Kingdom): I should like to begin by complimenting Ambassador Arias on his stewardship of the Counter-Terrorism Committee (CTC) over the past six months. His hard work, his direction and his unstinting efforts have been much appreciated by my delegation. The United Kingdom fully endorses the proposed programme of work and the principles that guide it.

I should like to associate myself with the statement to be made later by the representative of Italy on behalf of the European Union.

I should like to make four specific points on the CTC and its work. First, sadly, the threat from terrorism has not diminished or eroded. If the Committee is to maintain and increase its successes in reinforcing the capacity of Member States to tackle and overcome terrorism, it must be strengthened further and given the expertise and the remit to do that effectively. For that reason, I very much welcome the Chairman's proposal to submit to the Committee and to the Council a report on the problems and difficulties and, I very much hope, containing proposed solutions. The United Kingdom is prepared to assist the Committee in whatever way we can to that end.

Secondly, Ambassador Arias has rightly identified technical assistance as a priority; it is vital to helping States implement the requirements of resolution 1373 (2001). There are numerous examples of excellent initiatives in this area; the Committee has played a key role in the facilitation of assistance. But, just as the Committee needs to adapt to maintain its effectiveness, so, too, do the methods used to deliver the assistance where it is needed most. Better coordination, more contact with donors and recipient States, and intensive follow-up action are all necessary to ensure that assistance has been properly delivered and will help achieve the objective: quite clearly, to help States implement the measures called for in resolution 1373 (2001). The CTC and its experts must be given the support, the guidance and the resources that will enable them to do that important work properly.

Thirdly, much has been said about the value of cooperation with international, regional and subregional organizations in combating terrorism. The CTC meeting in Washington last week, co-hosted by the Organization of American States, demonstrated that yet again. A global network is emerging to support and underpin the work which individuals, States, organizations and the CTC itself are doing in order to develop counter-terrorism capacity. We should seek to maintain, strengthen and focus that network in every way possible. The meetings with subregional and regional organizations are key to that, and the Committee should continue its work to gain as much as possible from this process.

Lastly, an important element in the fight against terrorism is the ratification and implementation of the 12 universal conventions. Resolution 1373 (2001) calls upon States to become parties to those conventions as soon as possible. Much has been done to encourage that, with some very good results. But we know, too, that there are far too many gaps and that the efforts need to be strengthened further. So the United Kingdom very much welcomes the Committee's proposal to examine the reasons for low levels of ratification and, again, to come forward with concrete, practical suggestions as to how we can improve that situation.

The Security Council has many urgent and important subjects on its agenda. But, as far as the United Kingdom is concerned, none is more vital than the need to challenge, to combat and to defeat the scourge of terrorism. Therefore, our support for the CTC remains total. Much good progress has been made so far, but terrorism remains a serious and grave threat. Our responsibility, as the Council, is to see how we can build on the achievements in order to strengthen the interventions that we need to make globally so that all of us can better face the challenges which we confront. The work programme that Ambassador Arias has set out is a real contribution to that effort.

Mr. Pleuger (Germany): First of all, we should like to thank the Chairman of the Counter-Terrorism Committee (CTC), Ambassador Arias, for his report and for the good work that he is producing in the CTC. The fight against terrorism within the broadest possible international coalition remains one of Germany's most important policy objectives. While we fully subscribe to the forthcoming statement by the presidency of the European Union, we should like to highlight the following points.

The Counter-Terrorism Committee has done impressive work, and its Chairman, its experts and the United Nations Secretariat deserve our recognition and thanks. We support the CTC's new work programme. We appreciate the ever-increasing links that the CTC has established with international organizations and specialized agencies, as demonstrated recently during the meeting in Washington organized jointly by the CTC and the Organization of American States. Most important of all, the CTC has established a continuous dialogue with all United Nations Member States on key counter-terrorism issues under resolutions 1373 (2001) and 1456 (2003). The quality and intensity of that dialogue are unprecedented in United Nations history, and are an asset that we can build on.

Under the new work programme, the Chairman plans to submit a report on the strengths and weaknesses of international counter-terrorism efforts. Such an evaluation could help us in further intensifying cooperation by adopting a more operative approach. For instance, one step forward might be for CTC experts to form joint teams with members of specialized international organizations and actively assist countries in key areas of resolutions 1373 (2001) and 1456 (2003), such as professionalizing their financial control, border protection, weapons control and law enforcement sectors. Another idea might be to consider the creation of a high-level authority — such as a United Nations counter-terrorism coordinator — who might help to better focus and streamline enhanced United Nations activities to counter terrorism in all its aspects and on a global basis. Discussing such steps or similar ideas more thoroughly would be in line with many suggestions voiced during the General Assembly's recent general debate calling for the strengthening of United Nations counter-terrorism organs.

We are not here to offer ready-made solutions. But my Government is convinced that the credibility of United Nations counter-terrorism efforts depends on their ability to make a difference on the ground. It seems worthwhile to reflect on new ways to strengthen the United Nations — including the CTC — in order to fight terrorism even more effectively. We think the time has come to increase the effectiveness of United Nations and CTC action, within existing means and, of course, while respecting the framework of the United Nations Charter and international law.

The President: We will now suspend this meeting and resume our discussion at 3 p.m. sharp.

The meeting was suspended at 1.10 p.m.

United Nations S/PV.4845 (Resumption 1)

Security Council

Fifty-eighth year

Provisional

4845th meeting

Thursday, 16 October 2003, 3 p.m.
New York

President:	Mr. Negroponte	(United States of America)
Members:	Angola	Mr. Lucas
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Tidjani
	Chile	Mr. Maquieira
	China	Mr. Zhang Yishan
	France	Mr. Florent
	Germany	Mr. Pleuger
	Guinea	Mr. Sow
	Mexico	Mr. Pujalte
	Pakistan	Mr. Khalid
	Russian Federation	Mr. Karev
	Spain	Mr. Quintero
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry

Agenda

Threats to international peace and security caused by terrorist acts

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03-56405 (E)

The meeting was resumed at 3.05 p.m.

Mr. Florent (France) (*spoke in French*): Allow me, in my purely personal capacity, to note that the work of the Security Council and its Counter-Terrorism Committee does not seem to be as popular a subject as Iraq. I regret that personally, but would point out that the Chamber is less crowded.

On a more serious note, my delegation fully adheres to the statement to be made by the Italian presidency of the European Union. In my national capacity, I wish to state our position on the current and future work of the Counter-Terrorism Committee.

The Committee has been in existence for two years now. Ever since its creation under resolution 1373 (2001), it has done work that we all rightly agree to have been outstanding. In accordance with its mandate, it has actively and effectively contributed to monitoring and facilitating the correct implementation by all States of resolution 1373 (2001) and of subsequent relevant Security Council resolutions, including resolution 1456 (2003) adopted at the ministerial level in January.

Without going into detail, I simply wish to highlight, first, the unprecedented number of national reports that the Committee has considered and assessed, with the valuable and effective assistance of the independent experts — without whom this work could not have been carried out, and whom I personally wish to thank; secondly, the indispensable development of cooperation with regional organizations, including the European Union, and international organizations with competence in the war on terrorism, as evidenced by the joint meetings held on 6 March in New York and on 7 October in Washington, D.C.; thirdly, the efforts made to facilitate the provision of technical assistance to States that need it in order to help them fully to implement resolution 1373 (2001); and fourthly, the substantial increase since the adoption of resolution 1373 (2001) in the number of States parties to the various international anti-terrorism instruments, in particular the 1999 International Convention for the Suppression of the Financing of Terrorism. This rapid overview, although positive, must prompt us to give further thought to the experience gained and to the guidelines that we plan to provide for the work of the Counter-Terrorism Committee (CTC).

It is important in working towards this goal that we do not lost sight of the fundamental principles that must guide our action. First of all, the war against terrorism must remain a major priority for the international community, in particular the Security Council. Secondly, it can be effectively carried out only with the determined participation of all. As recent events have tragically confirmed, no figure on the international stage — including within the United Nations — is safe from the global scourge of terrorism. Two years after the adoption of resolution 1373 (2001), the Security Council must remain the foundation for our deliberations in the campaign against terrorism.

Nevertheless, it seems to us that it would be desirable for the CTC — while continuing with its essential tasks — henceforth to commit itself more actively to evaluating the measures taken or announced by States with a view to fighting terrorism more effectively.

My delegation believes that a number of guidelines should be given pride of place. First, the CTC must focus further — as it is beginning to do — on ensuring that the efforts undertaken by States in implementation of resolution 1373 (2001) are commensurate with the terrorist threats against them. In this regard, through its evaluations, the Committee should intensify its consideration of the progress made by States in fully implementing resolution 1373 (2001), taking into account the effectiveness of measures adopted at both the legislative and administrative levels — that is, the institutional structures set up to intensify the fight against terrorism. National reports should also be adapted along these lines. Such national reports — which are indispensable — are not, however, all we need. It is important that they be supplemented with other sources of available information which the Committee, in particular its independent experts, must receive from regional or international bodies, which are, in turn, engaging in evaluations of their members in various areas in the fight against terrorism. Such cooperation, if it avoids duplication, can only strengthen the effectiveness of the war against terrorism, which must be our primary concern.

Of course, in the context of this strengthened evaluation process, it is essential that technical assistance needs be duly taken into account. Given the magnitude of those needs and the limited resources available to satisfy those needs, priorities must inevitably be established. In this respect, there is a

particular need to maintain and intensify the close cooperation between the CTC and the Counter-Terrorism Action Group, established by the Group of Eight during the Evian summit in June. It is the job that Group — in whose meetings the CTC Chairman participated, with the agreement of all of the members of the Committee — to better assess needs and priorities for technical assistance in the fight against terrorism. It is working with the CTC to strengthen global capacities to combat terrorism and thus to ensure that all Governments take effective measures to prevent any active or passive support for terrorism.

Secondly, it seems to us to be crucial that the work of the CTC, which, is by its very nature is technical, be more actively linked to the political level through the Security Council. In this respect, in accordance with the proposal made by France in the Council in April, my delegation welcomes the fact that the Spanish chairmanship of the Counter-Terrorism Committee provided, in the programme of work to be submitted to the Council by the end of November at the latest, an account of the major difficulties encountered in the implementation by States of resolution 1373 (2001). That report should, we believe, allow the Security Council — which is, and must remain, the parent body of the CTC — to take the necessary political measures with a view to supporting the action of the CTC in such a way as to ensure the full implementation of resolution 1373 (2001). What is at stake here is the credibility of all of the actions undertaken by the Security Council in the priority area of combating terrorism.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): The delegation of the Syrian Arab Republic welcomes the convening of this meeting and expresses its appreciation to Ambassador Inocencio Arias, Chairman of the Counter-Terrorism Committee (CTC), for his extraordinary efforts over the past few months. Furthermore, my delegation would like to express its appreciation to the two Vice-Chairmen, the members of the Committee, the experts and the Secretariat for their successful efforts in fulfilling the mandate of the Committee throughout its past eight stages.

The Counter-Terrorism Committee has succeeded in fulfilling its responsibilities and mandate. Furthermore, the Committee has worked intensively to make progress in upgrading the capacities of Member States with a view to enabling them to align their national legislation with the requirements and provisions of resolution 1373 (2001). This success has been due to the interaction between most Member States and the Committee in the framework of resolution 1373 (2001), as demonstrated by the second and third reports submitted to the Committee. I am pleased to say that Syria is one of the States that have submitted their third reports in accordance with the timetable. Subsequently, on 9 September 2003, in the context of the sustained efforts made by Syria to combat terrorism, the President of the Syrian Arab Republic issued presidential decree number 59, which includes legislation to combat money-laundering and all other illicit financial transactions. That is yet a further demonstration of our sustained determination to coordinate efforts with the international community in fighting terrorism and the financing of terrorism.

We are also pleased that the Committee is continuing to maintain an open dialogue with all of the Members of the United Nations, in a framework of transparency, in order to facilitate the delivery of aid to those States that have expressed a need for such assistance with a view to upgrading their capabilities in fighting terrorism. We are grateful for the efforts of the assistance task force, which coordinates work between those countries that request assistance, the donor countries and those who are capable of rendering assistance. We also appreciate the genuine interaction between the Committee and regional, subregional and international organizations in accordance with their respective mandates.

Syria supports the ninth 90-day work programme submitted by the Chairman of the Counter-Terrorism Committee (S/2003/995, annex). In that context, Syria underlines its determination to continue all efforts to implement that programme within the framework of resolution 1373 (2001). My delegation also supports the continued mandate of the current officers and the current Chairman of the Committee, Mr. Arias, as we highly appreciate his efforts and his dedication to his work.

It gravely harms and distorts global efforts to claim to be fighting terrorism while practising terrorism daily on the ground, such as by committing crimes against humanity, war crimes, massacres and acts of aggression; displacing and killing civilians; pursuing settlement policies; annexing territories; violating international law and Security Council resolutions; and breaching treaties.

The danger of international terrorism requires joint global action without prejudice, double standards or the muzzling of world public opinion. Terrorism must be diagnosed in order to combat and end it. In that regard, we wish to stress the necessity of defining terrorism and of distinguishing between it and the legitimate right of peoples to liberation. The right of liberation is guaranteed by the Charter of the United Nations. It is an inherent right that must be upheld by all Member States, and all measures must be taken to preserve it.

Syria here reaffirms its firm commitment to combating terrorism and its continued cooperation with all members of the world community that wish to pursue that cooperation; it underlines the important role played by the Counter-Terrorism Committee and expresses its satisfaction at the work accomplished by the Committee in carrying out its mandate.

Mr. Khalid (Pakistan): At the outset, I wish to congratulate Ambassador Arias on his successful completion of the first six months of his term as Chairman of the Counter-Terrorism Committee (CTC). I also wish to thank him for his statement and for presenting the ninth 90-day work programme of the Committee (S/2003/995, annex).

We have noted the progress made by the Committee in the past three months. We hope that the Committee will be able to maintain its momentum and achieve the targets set for the next 90-day work programme. We appreciate the opportunity offered by our meeting today to reflect on the course of action that we have taken so far in countering terrorism and to plan for the future. We need to craft a strategic vision of the direction which our common efforts against terrorism have to take.

The CTC represents an important organized international response to global terrorism. We hope that the CTC will continue to perform its mandated tasks in an effective manner. It is important that the Committee consolidate its activities within its existing mandate. It should avoid assuming a policing role, which is beyond its mandate.

The effects of terrorism can be felt in almost every country today. Pakistan in particular has been exposed to terrorism for decades. However, Pakistan is resolved to combat that menace with full vigour. That is made abundantly clear by the successes Pakistan has registered in capturing more than 500 terrorists, including key operatives of Al Qaeda and the Taliban. Approximately 70,000 troops have been deployed in the harsh and inhospitable western region along the Pakistan-Afghanistan border to carry out interdiction operations against suspected terrorists.

We appreciate the CTC's continued commitment to maintaining transparency, as reflected in its work programme. That is crucial for winning the confidence and cooperation of all States in fighting terrorism. We have noted that a number of States have moved from stage A to stage B, namely, to the implementation of the counter-terrorism legal framework. Naturally, the Committee should expect a greater time commitment in reviewing a State's performance at this stage.

However, there is a need to balance reporting requirements with actual action on the ground. We hope that the issue of reporting fatigue will be adequately covered in the Chairman's report to the Council, to be presented by 15 November, on the problems encountered by States and the CTC in implementing the provisions of resolution 1373 (2001).

We support the CTC's contacts with regional and subregional organizations to coordinate efforts for counter-terrorism. We have noted the usefulness of the CTC's joint meeting with the Inter-American Committee Against Terrorism of the Organization of American States, held on 7 October in Washington. We look forward to the joint meeting of the CTC with the United Nations Office on Drugs and Crime and the Organization for Security and Cooperation in Europe in Vienna next March. However, we share the view expressed at the meeting in Washington that future meetings of the CTC with such organizations should also be held in different geographic regions.

I would like to take this opportunity to make a few comments on the general drift of our counter-terrorism efforts. First, we should arrive at a consensual legal definition of terrorism, including State terrorism, not only to lend clarity to our fight against terrorism but also to pre-empt its abuse.

Secondly, we need to examine the causes which lie at the roots of terrorism. The issues of political and socio-economic justice are not just fancy and exotic terms. The existence and quality of those factors are closely linked to the growth of, and support for, terrorism in a particular region.

Thirdly, human rights should be at the core of counter-terrorism efforts. Counter-terrorism should not be used as a cloak to violate the very freedoms and rights we are seeking to protect.

Fourthly, States have continued to make an opportunistic use of counter-terrorism measures. That applies in full measure to situations of foreign occupation and alien domination, particularly in Kashmir and in Palestine. It would be a travesty of justice to allow the perpetrators of terrorism to join the fight against terrorism. We should fully resist attempts to delegitimize just causes and the just struggles of peoples for their right to self-determination.

Terrorism has no faith. We should therefore avoid linking terrorism with any religion. Rather, we should direct our energies towards promoting interreligious and intercultural understanding and harmony.

Lastly, technical assistance constitutes an important element of the counter-terrorism work of the Committee. We need to enhance the capacity of Member States by providing them with sustainable technical assistance.

Mr. Karev (Russian Federation) (*spoke in Russian*): First, I express our gratitude to the Chairman of the Counter-Terrorism Committee (CTC), Ambassador Arias, for the report that he introduced on the work of the Committee.

Two years have passed since the adoption of resolution 1373 (2001) and the creation of the CTC. By United Nations standards, that period is sufficient to assess the Committee's work in implementing its mandate and to discuss its prospects. We welcome the intention of the Chairman of the Committee to prepare, by 15 November, a document on the difficulties States and the CTC are encountering in implementing the provisions of resolution 1373 (2001).

I wish to make the following points.

In its two years' existence, the CTC has clearly been playing a key role in the global anti-terrorism structural system. That is fair and justified. Thanks to its representativity, legitimacy and transparency, the Committee is one of the guarantors of a harmonious and united universal anti-terrorist coalition.

A great achievement of the CTC is the process it initiated of uniting the efforts of competent international, regional and subregional organizations in assisting States to implement the provisions of resolution 1373 (2001). Evidence of that was the successful holding of two meetings of those organizations, on 6 March in New York and on 7 October in Washington, D.C. It is gratifying that a growing number of international structures and organizations are demonstrating interest in participating in such events. In particular, readiness to become involved in this process was expressed recently by the Collective Security Treaty Organization. The Committee must continue to have an impact on this process, participating directly in the preparation and holding of subsequent meetings to ensure that their work is built on dialogue focused on the most pressing issues.

One of the most important objectives of the CTC is the establishment of mechanisms for an exchange of information between all parties to the global anti-terrorist coalition. A reliable instrument for achieving that objective is the Committee Internet site, which has been substantively improved recently. We hope that the site will soon eliminate the gap between the Russian and other language versions and the English version.

The CTC is doing a great deal of work to have States bring their legislation into line with the demands of resolution 1373 (2001) and to universalize participation in the 12 international anti-terrorist conventions in force. Figures were cited today confirming the substantive progress made in the past two years in this area. However, the work is still far from having been concluded, particularly regarding developing countries that need assistance in drafting appropriate legislation.

The Committee is paying a great deal of attention to establishing a system for rendering assistance to States to enhance their anti-terrorist potential. There have been some results, but, in our view, so far the CTC is unable to make full use of that potential.

With regard to a rather significant group of States, the Committee has embarked on a new phase of its work of determining the effectiveness of States' implementation and use of anti-terrorist legislation and of their law enforcement mechanisms.

It will be extremely difficult to carry out the CTC's tasks in this new phase solely by using today's means and methods. The members of the Committee should study what new elements must be introduced

into its work so that it can fully implement its mandate during phases B and C.

In conclusion, we wish the CTC success in its further work to strengthen the anti-terrorist coalition of States.

Mr. Lucas (Angola): The Security Council is meeting today to consider the quarterly report of the Chairman of the Counter-Terrorism Committee (CTC) and its 90-day work programme, until the end of 2003, which my delegation fully endorses as a real contribution to the global fight against terrorism.

We praise the activity undertaken by Ambassador Inocencio Arias, current Chairman of the Committee, its members and the independent experts. We have taken note of the Committee's work regarding the implementation of resolution 1373 (2001) by reviewing the reports submitted by States, by ensuring that all States become parties as soon as possible to the relevant international conventions and protocols relating to terrorism; and by taking, in the area of assistance, a more proactive approach to its collaboration with States facing difficulties in complying fully with the provisions of resolution 1373 (2001) and strengthening cooperation with and among international, regional and subregional organizations with anti-terrorist programmes.

The fact that, by 30 September 2003, 48 States were late in submitting their reports to the CTC is a reality that reminds us of the urgent need to extend and strengthen CTC assistance to a large number of developing countries in order to make the existence of legislation and operational mechanisms to combat terrorism global and effective. A large number of developing countries have enacted anti-terrorist legislation, but their scarce financial, technical and human resources inhibit the implementation of such a legislative framework.

Moreover, those countries lack the capacity to deal effectively with border control and security, the movement of criminals, the smuggling of illicit drugs and illegal firearms and possible links with terrorists. We recognize the need for those countries to approach international standards in order to meet the great challenges ahead. However, to meet that goal, developing countries need long-term assistance focused on national and regional capacity-building in areas related to resolution 1373 (2001). Only through a concerted effort and international assistance will they be able to meet reporting requirements and strengthen their capacity to wage an effective fight against terrorism. We welcome the Committee's commitment to provide assistance to countries in need and its decision to adopt a more proactive approach to the delivery of assistance.

The CTC recognizes that cooperation with international, regional and subregional organizations is the main thrust of its programme of work. The meeting held on 7 March by the CTC with international, regional and subregional organizations concluded that the sharing of information and best practices relevant to global cooperation was one of the main instances of their coordinated approach for the suppression of terrorism. Regional and subregional organizations are a suitable forum for the exchange of information, setting standards and disseminating best practices among members.

The African Union set a pioneering example by establishing the Organization of African Unity Convention on the Prevention and Combating of Terrorism, generally called the Algiers Convention of 1999. Through the Convention, the African countries pursue a common objective, with joint action at the intergovernmental level for the exchange of information on the activities and movements of terrorist groups in Africa, and with actions designed to step up the fight against terrorism. In that regard, international cooperation is vital to build capacities in the African countries, allowing them to take more effective action at the national, subregional and continental levels against the financing of terrorism, to track terrorist networks and to apprehend terrorists and bring them to justice.

In conclusion, the approach and strategies for fighting terrorism have been agreed by consensus by the international community. The establishment of international standards and best practices; adherence by all States to them, the provision of technical assistance to States lagging behind in establishing the appropriate legislative and operational mechanisms to combat terrorism; and cooperation among international, regional and subregional organizations — those are the main elements of the global strategy established by resolution 1373 (2001) that we are striving to implement.

Mr. Pujalte (Mexico) (*spoke in Spanish*): Mexico is a member of the Rio Group, and associates itself

with the statement that the Ambassador of Peru, Mr. Osvaldo de Rivero, will soon be making on behalf of the Rio Group.

My delegation would like first to express its gratitude to Ambassador Inocencio Arias of Spain for the work accomplished since he assumed the chairmanship of the Counter-Terrorism Committee (CTC), and to the members of his team and the Committee experts. We also thank the Ambassador for his presentation of the report and programme of work.

Mexico is a member of the Committee. Being one of the Vice-Chairpersons, we work very closely with the Chairman and greatly appreciate his efforts. We are aware of his thinking and his programmes, and a lend them our full support.

As I have said, Peru will be making a statement on behalf of the Rio Group, so I shall be brief. But I would like to emphasize two points that my delegation considers very important and to make a few comments on the Committee's present and future work.

First, we consider that an important development in the work of the Committee has been the inclusion of a special section with explicit questions in the Committee's letters to Member States on the machinery that each country uses to deal with all kinds of weaponry, especially the illicit traffic of small arms and light weapons. This is an important step to ensure that the Committee can support the objectives of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. It will thus contribute to solving problems that are clearly related and therefore require a joint and coordinated solution.

Secondly, I wish to refer to the protection of human rights. In our view, the Committee must maximize its efforts to ensure that counter-terrorism is carried out in full compliance with international humanitarian law and with respect for human rights. The inclusion of this issue in the letters to States will promote awareness of it. As the Security Council considers the changes to the CTC to improve its effectiveness, it should take account of the need to include a human rights expert on the Committee. That would enhance the Committee's legitimacy with all nations.

A step in the right direction was the inclusion of a section on human rights and terrorism on the Committee's Web site. We particularly welcome the link with the publication by the Office of the United Nations High Commissioner for Human Rights on the practices of the Organization and regional organizations with respect to the protection of human rights in the fight against terrorism. We ask the CTC to carefully study and carefully discuss this in order to clearly identify areas for its participation.

With regard to the current work of the Committee, I would like to refer to the identification of criteria for States that are moving from the implementation stage to the legislative measures recommended in accordance with resolution 1373 (2001), namely, stage B. We view positively the fact that at this new stage Committee experts will be in close contact with States to propose specific measures, case by case, and above all to identify the needs for assistance that States demonstrate.

Committee members have the sensitive task of giving the appropriate orientation, in close consultation with the experts, to define priorities for each country. We would like to make it clear that all States, whatever stage they have reached, must continue to submit reports and continue the dialogue with the Committee, no matter how advanced their own institutional or judicial mechanisms to combat terrorism may be.

It should be remembered that the obligations set forth in resolution 1373 (2001) apply to all Member States. We thus avoid focusing exclusively on one group of countries. The Committee should also continue to work on the basis of cooperation with, and assistance to, States that lack the capacity to meet all the requirements of resolution 1373 (2001). The Committee should continuously strengthen this aspect, in order to facilitate and maintain interest and momentum in the campaign against terrorism.

As for the CTC's future work, while it has certainly made headway, we perceive a weakness in its structure, owing to the Committee's full workload. The challenge now is for it to be efficient yet sufficiently flexible.

In that respect, my delegation awaits with interest the report on States' problems in complying with resolution 1373 (2001), as well as the difficulties in the structure and functioning of the CTC itself. That document should provide a foundation for real improvements in the Committee's work. Mexico will

therefore be active and constructive in putting forward proposals.

On other matters, we view with interest the progress in strengthening dialogue with the relevant international, regional and subregional organizations. We welcome the recent meeting of the Organization of American States, of which Mexico is a member, to that end. Strengthening such links should help principally to complement efforts and avoid duplication or confusion in the areas of competence of the various organizations.

We support the initiative of the Chairman of accepting invitations to represent the Committee when he considers it advisable to do so.

I cannot conclude without saying that terrorism is one of the greatest threats facing the international community today. All Members of the Organization are agreed on this. But there is also consensus that the struggle against terrorism must not be waged in such a way that the values and principles that nourish our countries and the United Nations itself are weakened. My delegation will continue to insist that it must be pursued in accordance with human rights, international law and the Charter.

Mr. Zhang Yishan (China) (*spoke in Chinese*): Allow me to begin by thanking you, Mr. President, for convening this open meeting. At the same time I wish to thank Ambassador Arias for his briefing on the work of the Counter-Terrorism Committee (CTC).

Over the last three months, the Committee has achieved significant results in its work, which merits full acknowledgement from the Security Council. The Committee focused its deliberations on reports submitted by Member States on their implementation of Security Council resolution 1373 (2001) and has moved on to stage B in its deliberations on a number of countries.

At the same time the Committee is continuing to intensify its efforts in providing assistance to the fight against terrorism and encouraging its experts to actively engage Governments of Member States to learn about the difficulties they experience in implementing the resolution and the assistance they need, and to follow up on the provision of assistance.

On 7 October, the Committee, in conjunction with the Inter-American Committee against Terrorism of the Organization of American States, organized a second special meeting with national regional and subregional organizations, thereby further enhancing the communication and cooperation among various organizations in the fight against terrorism.

China supports the CTC's ninth 90-day work programme. We believe the CTC should further intensify its efforts in providing assistance to the fight against terrorism, and to take all possible measures to meet the assistance requests of the large numbers of developing countries.

We hope the new requirements in this context, as reflected in the ninth 90-day work programme will be effectively complied with. We support the CTC in its efforts to further enhance its communication and cooperation with international, regional and subregional organizations, while ensuring the CTC's leading role in the worldwide fight against terrorism. The authority and legitimacy of the CTC, established pursuant to Chapter VII of the United Nations Charter, are irreplaceable.

Terrorism remains a major threat against international peace and security. Combating terrorism is an arduous and complex long-term task. In order to more effectively combat terrorism, the international community, in the fight against it, should abide by the purposes and principles of the United Nations Charter and the fundamental norms of international law.

The fight against terrorism should address its symptoms as well as its causes, focusing on eradication of the root causes that breed terrorism. For this purpose, there should be a comprehensive approach encompassing economic, political and social dimensions. In particular, efforts should be made to solve the conflict in question, and to actively help developing countries eradicate poverty.

We also believe there should be no double standards in the fight against terrorism. All terrorist organizations should be targeted relentlessly, but at the same time, the fight against terrorism should not be used as a pretext to wilfully expand the scope of such combat. International cooperation should also be enhanced in the fight against terrorism.

China supports the leading role of the United Nations in the fight against terrorism worldwide. We support strengthening the role of the CTC. We will continue to work with the Chairman and the members

of the Committee to advance the work of the CTC to a new stage.

Mr. Quintero (Spain) (*spoke in Spanish*): On behalf of Spain, we would simply like to add a proposal to the CTC Chairman's statement earlier today that in the presidential statement at the conclusion of this meeting, a paragraph — already distributed to Council members — be included, clearly declaring the Security Council's and the Organization's condemnation of all acts of terrorism. The wording is specifically drawn from Security Council resolution 1456 (2003). We are proposing that this now-distributed paragraph, which condemns terrorism in explicit terms, be part of the presidential statement.

The President: I thank the representative of Spain. I understand that proposal has been accepted and the draft presidential statement is being amended accordingly.

I shall now make a statement in my capacity as the representative of the United States.

Terrorism is an ever-present threat. Those who engage in it do so because they are not interested in peace. Yesterday, an American diplomatic convoy was bombed in Gaza. The Americans who were attacked were pursuing a vision for a better future for the Palestinian people. They were there to interview young Palestinian candidates for Fulbright scholarships to study in the United States. We send our heartfelt condolences to the families of the brave Americans who were killed and injured serving our country and its ideals. We not only condemn the attacks, we warn the attackers: you can run but you cannot hide.

Two years ago, this body met to adopt Security Council resolution 1373 (2001), a central component of the Council's robust response to the horrific attacks of 11 September 2001. The Counter-Terrorism Committee (CTC) was established to monitor, promote and assist in its implementation.

As we endorse the Committee's work programme for the next 90 days, it is worth both recalling some of the Committee's accomplishments and reminding this body of the important challenges that remain.

As one of the key Security Council counter-terrorist instruments, the CTC has given new, important, international legal and political authority to the counter-terrorism efforts of many nations and intergovernmental organizations. It has placed the issue of terrorism and the international community's capabilities to confront it on the agenda of the United Nations and other intergovernmental bodies. It has spurred organizations around the world to undertake enhanced counter-terrorism planning with their member States. It is recognized as the worldwide clearinghouse for counter-terrorism information, assistance, and cooperation. It has achieved universal engagement in resolution 1373 (2001), with all 191 Member States submitting reports on their counter-terrorism capabilities and on the steps they have taken to implement the resolution.

Through the CTC's efforts, the number of States joining the international conventions relating to terrorism, and the progress of many States in enacting domestic legislation implementing those conventions, has been significantly increased.

While much of the material submitted by States is as yet unverified — and must be verified — this universal engagement constitutes a significant mobilization of political will and the first-ever worldwide audit of States' counter-terrorism capabilities. In short, the Committee has focused and organized States' attention on counter-terrorism and laid the foundation for significant upgrades in capacity-building.

Although the Committee should be proud of these accomplishments, it must not be complacent. Based on the work programme laid out last March, in the coming months we would like to see the Committee take steps to build on the work already done. Working with relevant functional and regional organizations, the Committee should verify more effectively than heretofore the steps that States have taken to implement the resolution. It is not simply the accession to conventions and protocols, nor the enacting of domestic legislation, that will show the CTC's accomplishments, but the actual effectiveness of each country in fighting terrorism.

To help accomplish this goal, Committee experts working with experts from the relevant functional and regional organizations, should visit several capitals to discuss implementation of resolution 1373 (2003). For example, officials in many capitals can benefit from discussing both the specifics in the CTC's letters directly with the Committee's experts, as well as the assistance that might be available to address needs. As with the Committee's work to date, these consultations

in country capitals would aim to learn more about the areas where implementation is incomplete and where Member States need assistance, and that message would be carried back to the Committee and to other intergovernmental organizations and States that can assist.

A number of global and regional organizations are already sending representatives on such missions to discuss matters that relate to some elements of resolution 1373 (2001). For the Committee to maintain its long-term primacy and relevance, it should, whenever appropriate, participate in these missions. The March meeting with those Organizations showed that they are interested in working cooperatively with each other and with the Counter-Terrorism Committee (CTC) in this area.

Given the important work that remains to be done, it is essential that the Committee receive increased support from Member States, all parts of the United Nations system and organizations engaged in the fight against terrorism. It must act with a renewed sense of urgency, as if 9/11 took place yesterday — not more than two years ago. The Committee must not wait for the next major terrorist act to occur in order to become re-energized. As the Committee begins its next phase of work, it must never forget that we will all be vulnerable to terrorism as long as States have counter-terrorism needs that are not being addressed.

In addition, the Council must continue to play an active role in the fight against terrorism. While its subsidiary bodies, such as the CTC, are important instruments, there are times when Council action will be necessary. The Council must therefore be prepared to act. We look forward to the coming reports of Ambassador Arias to the CTC and the Council, as he works to take the Committee to an intensified level of action and effectiveness.

Before concluding, I would like to echo the words of praise spoken here for Chairman Arias, his dedicated staff at the Spanish Mission and the Committee's experts and secretarial staff. All of them deserve our heartfelt congratulations for their work in making the Committee the success that it is. Through the vigorous and committed leadership and creativity of Chairman Arias, we are confident that the Committee will meet the challenges that lie ahead. We all owe him our strongest support.

I resume my function as President of the Council.

In order to optimize the use of our time, I will not individually invite speakers to take seats at the Council table. When a speaker is taking the floor, the Conference Officer will seat the next speaker on the list at the table.

The next speaker inscribed on my list is the representative of the Libyan Arab Jamahiriya, to whom I now give the floor.

Mr. Elmessallati: (Libyan Arab Jamahiriya) (*spoke in Arabic*): At the outset, allow me to thank you, Mr. President, for convening this meeting and for giving us an opportunity to participate. I would also like to convey our gratitude to Ambassador Inocencio Arias, Chairman of the Committee established pursuant to resolution 1373 (2001), for the commendable effort he has made as the Committee's Chairman and for the excellent briefing he gave us this morning, which detailed the efforts being made by the Counter-Terrorism Committee (CTC) to exercise its mandate and presented us with a detailed view of the Committee's work in the upcoming 90 days. As in the past, my delegation will continue to afford the Committee's work our full cooperation and attention, in the hope that the Committee will make further progress and achieve greater success.

The Libyan Arab Jamahiriya has always pursued a basic policy of renouncing and condemning all forms of terrorism at every national, regional and international forum. That position is based on our total conviction that terrorism is a threat to the peace, security and stability of the world's peoples and whose disastrous effects are not limited to any State or region. Terrorism's effects are felt by everyone, irrespective of religious, national or cultural affiliation. Its negative implications also have an impact upon every area of socio-economic development and saps national and international resources that could otherwise be directed towards that development.

We believe that terrorism has neither religion nor identity. We therefore categorically reject any attempt to link the phenomenon of terrorism to a specific religion or culture or to label indiscriminately as terrorists persons who belong to a given culture or who follow a particular religion. The evils of terrorism have affected people of different religions and cultures. There are numerous examples of that fact, and it is not my intention to go into detail about them here.

Libya's position of principle has therefore been to condemn and renounce terrorism and to seek ways to combat it and eradicate it. Libya had been combating terrorism for years, even before the world woke up to this scourge. We believe that, in that respect, Libya was the first to draw the world's attention to the dangers of terrorism. While we urged that terrorists be tried, some supported terrorists and considered them to be freedom-fighters. Many States hosted and sheltered terrorists and encouraged them to pursue their terrorist activities. Since the mid-1990s we had called on Interpol to arrest certain terrorist elements — persons who were subsequently proven to have been involved in international terrorism.

Along with other Member States, we have called for an international conference to be held under the auspices of the United Nations to address the terrorist phenomenon, its root causes and the ways and means to combat it, as well as to decide on a clear definition of terrorism. The lack of a clear definition of terrorism may dilute international efforts to combat terrorism, thereby weakening their effect.

In that regard, we reiterate our call for the need to differentiate between terrorism and the right of peoples to self-determination. It is simply unacceptable for the two concepts to be equated and for those who are fighting for freedom and independence to be treated in the same way as those who turn to terrorism as a way of realizing goals that are based in no logic, law or right. There is no doubt that occupation and foreign hegemony are among the worst forms of terrorism.

Libya, perhaps more than any other State, is aware of the dangers of terrorism and its disastrous consequences. We have suffered from various types of terrorism and we have paid a heavy price for the terrorism that was perpetrated against us for many long years. State terrorism is the worst form of terrorism. Many Member States have been subjected to it, and it is currently a scourge on the Palestinian people.

We are therefore eager to ensure the success of each and every initiative to combat and eradicate terrorism in all its forms. Terrorism is an evil that must be defeated and eradicated. All Member States and members of the international community should intensify their efforts in this regard in order to strengthen international peace and security and eliminate all the dangers that threaten them.

The President: I now give the floor to the representative of Yemen.

Mr. Alsaidi (Yemen) (*spoke in Arabic*): Once again, I would like to express to you, Mr. President, our appreciation for your wise guidance of the work of the Security Council. I would also like to pay tribute to the role being played by Ambassador Inocencio Arias, Ambassador of Spain and Chairman of the Counter-Terrorism Committee (CTC), which was created in accordance with resolution 1373 (2001).

I say nothing new when I emphasize that everything that has been done to combat terrorism adds up to achievements of which the Organization can justly be proud. This also shows what can be achieved by collective will in the face of a plethora of diverse challenges that know no political borders or national sovereignty. We can cope with such challenges only through collective efforts.

Contrary to the case of the war in Iraq and the divisions and divergences in viewpoints and positions that emerged, the international community was unanimous in its will to combat terrorism. That struggle was, and is still, based on consensus and on international cooperation — the best guarantee of success in this area.

For its part, the Republic of Yemen was aware of the phenomenon of terrorism and of its growth well before the tragic events of 11 September 2001. The Republic of Yemen was also aware of the dangers it posed to peace, to society and to collective security. In that light, my Government has made the campaign against terrorism one of its top priorities and has thus undertaken a number of measures aimed at containing and eradicating terrorism. The Security Council Committee established under resolution 1373 (2001) has made clear what has been achieved, as can be seen from the reports, including the third additional report.

The Government of the Republic of Yemen is also working unilaterally and jointly with interested countries to implement other measures in this respect to combat terrorism in an ongoing manner within the country. This is clear evidence of Yemen's will to eradicate the phenomenon of terrorism in all its forms.

Terrorism is alien to Yemeni soil. Terrorism has been denounced by our Muslim religion and by our Arab traditions. We are opposed to terrorism, both in

theory and in practice, and to all who claim to possess the truth but do not respect the opinions of others.

We cannot accept the attempts of some to impose by force their points of view on others. Such is our position of principle regarding terrorism within and outside Yemen.

Here, however, we would like to emphasize that up to now, measures of international cooperation have not been able to contain this phenomenon, much less eradicate it. That, in our view, is due to the fact that the way in which this problem is being dealt with is characterized by an incomplete vision and errors in terms of method.

Here we are in full agreement with what was stated in the report of the Secretary-General regarding the work of the Organization this year — namely that efforts made to combat terrorism require the strengthening of measures to alleviate poverty, to redress injustices, to strengthen good governance and to promote tolerance.

At the same time, the war on terrorism requires the establishment of a new world order based on humanitarian principles and on equity. The political leaders of the Republic of Yemen have called for a unified vision to be developed, within the framework of a high-level international conference to be held under the auspices of the United Nations, to study the phenomenon of terrorism and to lay down a strategy that would include practical solutions for addressing the reasons and motivations behind this phenomenon and its development.

In conclusion, we would like to reiterate our readiness to work for the success of efforts to draft an international convention that would represent a legal point of reference for fighting terrorism. We would like to reaffirm the importance of establishing a clear definition of terrorism that would cover all terrorist acts, whether they be perpetrated by individuals, by groups or by States.

Like many other Members of this Organization, we cannot accept a formula that would deny peoples their legitimate right to fight against foreign occupation. We would like to reiterate the principled dedication of the Government of the Republic of Yemen to separating terrorism from legitimate resistance, which has been enshrined in legislation of all kinds.

The President: The next speaker is the representative of Peru, on whom I now call.

Mr. De Rivero (Peru) (*spoke in Spanish*): I have the honour to address the Council on behalf of the member States of the Rio Group — Argentina, Bolivia, Brazil, Colombia, Costa Rica, Chile, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Mexico, Nicaragua, Panama, Paraguay, Uruguay, Venezuela and my own country, Peru.

The Rio Group welcomes this open debate in the Security Council to consider the quarterly programme of work of the Counter-Terrorism Committee (CTC) and reiterates its resolute rejection of terrorism and its determined support for the very positive work of the CTC, chaired by Ambassador Inocencio Arias of Spain.

Since the most recent open debate, held on 23 July, an unprecedented and outrageous event befell the international community: the terrorist attack against the United Nations, which we deeply deplore and strongly condemn. The criminal terrorist act in Baghdad that ended the lives of distinguished officials of our Organization — including that of Sergio Vieira de Mello and others from the four corners of the world — remind us that no one is safe from the ravages of terrorist acts perpetrated against innocent people, including officials who were carrying out humanitarian work aimed at alleviating the suffering of the Iraqi people. The entire international community, including its humanitarian activities, is vulnerable to this scourge, as demonstrated, tragically, every day.

But since the Council's last open meeting, on 23 July, there have been some positive events in the fight against terrorism. There is the meeting last week at the headquarters of the Organization of American States in Washington held by this Committee and the Inter-American Committee Against Terrorism with international regional and subregional organizations. That meeting dealt with the distribution of information by all participating organizations, building operative capacities and the implementation of a joint programme. All that has been mutually beneficial and has strengthened the collective effort to advance practical ways of increasing the means and capacities of States in the fight against terrorism.

The member States of the Rio Group reiterate our conviction of the need to define and execute a global strategy against terrorism. In this globalized world, the fight against terrorism is not just a national matter. The

means and procedures to confront it must also be global and integral, having as their basis the shared responsibility of all States. Each State bears a specific responsibility. The international community must cooperate with regard to legal activities, policing, equipment, technology, exchange of information, intelligence activities and budgets, inter alia, within the context of full respect for human rights, the United Nations Charter and international law.

Furthermore, to combat terrorism effectively it is necessary, as the Secretary-General has reminded us recently, to fight its deepest roots and identify means of tackling them. The authority of our Organization, its scope, its legitimacy and, most importantly, the way it represents the desire of all of its Members for cooperation constitute the best guarantee for leading and promoting action in this area.

In this regard, we are concerned at the lack of political will to achieve substantive progress towards framing a general convention against terrorism and a convention to eliminate acts of nuclear terrorism. We believe it is necessary to redouble our efforts in order to resolve in a constructive manner the few outstanding questions that have so far been impeding the finalization of these negotiations.

Regarding the Committee's programme of work for this ninth session, we are pleased that it is continuing to work in a matrix that connects the aid and cooperation needed by countries with the offers extended for such assistance and that continues to develop a global counter-terrorism information network, to modernize the web site of the Committee and to promote the universal participation in the 12 international agreements and protocols on counter-terrorism.

Moreover, we appreciate the constructive proposals of the Chairman of the Committee to assess the difficulties encountered by States in their implementation of resolution 1373 (2001), as well as the structure and functioning of the Committee itself.

The member States of the Rio Group will continue to submit our reports and to cooperate so that the work of the Committee — to harmonize the implementation of measures against terrorism and to put into operation mechanisms for international cooperation at various levels — contributes to devising and implementing a global strategy in the struggle against this criminal activity.

The President: I give the floor to the representative of Switzerland.

Mr. Staehelin (Switzerland) (*spoke in French*): I would like to thank Ambassador Arias, Chairman of the Security Council Committee created under resolution 1373 (2001), for his statement on the work already accomplished by the Committee and for the programme of work for its ninth trimester, submitted this morning.

Terrorism did not come into being on 11 September 2001. But on that day its face took on particularly odious and murderous features. In earlier years, terrorists assassinated monarchs and politicians but hesitated at striking innocent civilians in such great numbers. Today, however, terrorist groups no longer have any moral or religious scruples. They are deliberately targeting civilians and can have access to modern technologies with unprecedented destructive power.

In the face of the worsening of the terrorist threat, it was imperative that international cooperation be intensified. Switzerland welcomes the role played by the United Nations in this matter, particularly through the use of instruments of multilateral cooperation and by the Committee established pursuant to resolution 1373 (2001). The United Nations is also taking preventive measures by working to combat those injustices that form the breeding ground from which certain terrorist groups fill their ranks. In the long term, the fight against terrorism will succeed only if we can reduce those injustices and inequalities, defend human dignity and develop dialogue between different cultures and religions.

I would like to take advantage of this open debate, briefly and for the first time here before the Security Council, to outline the steps taken by my country to prevent and suppress terrorism.

First, in the area of police and judicial cooperation, Switzerland cooperates closely with various countries in the pursuit of terrorist groups and in the identification of their sources of funding.

Switzerland has also strengthened its legislative arsenal. Changes have been made in the penal code to increase the means for combating the financing of terrorism. Banks and financial intermediaries have been obliged to increase their vigilance. Those legislative modifications permitted Switzerland to

ratify, last 23 September, the International Convention for the Suppression of the Financing of Terrorism and the International Convention for the Suppression of Terrorist Bombing. Switzerland therefore is now party to the 12 main United Nations conventions on terrorism whose ratifications were requested by resolution 1373 (2001).

Regarding measures decided by the Security Council against Al Qaeda and the Taliban, Switzerland has applied them integrally from the start. By decree, the Swiss Government has adopted and rapidly updated the measures necessary to implement the sanctions set out in resolution 1267 (1999) and in subsequent resolutions. Switzerland is also cooperating closely with other countries and with the Counter-Terrorism Committee in implementing Security Council resolution 1373 (2001). My country has already submitted three reports to the Committee detailing the measures undertaken.

With regard to technical assistance, Switzerland has provided various forms of support to other countries in the fight against terrorism and its financing. Such technical assistance includes the training of legal experts for the drafting of new legislative texts. It also aims to train banking executives or representatives of financial administrations to recognize suspicious operations involving money-laundering or the financing of terrorism. Within the framework of its participation in the Group of Eight Action Group — established to fight terrorism and to assist other countries in that area — Switzerland will continue its commitment with regard to technical assistance.

Finally, Switzerland is participating actively in negotiations with a view to adopting a comprehensive convention against terrorism. It has played a facilitating role on certain points during the ongoing negotiations in the Sixth Committee of the General Assembly and hopes that those negotiations will conclude swiftly.

Preventing and suppressing terrorism is a long-term fight. The international community must remain firm in its resolve to carry on that struggle. It must also see to it that, in doing so, it does not sacrifice respect for human rights and for the rule of law. In recent years, disturbing tensions have appeared between security and freedom. However, Switzerland is convinced that it is not necessary to compromise fundamental freedoms in order to ensure effectiveness in the fight against terrorism.

In conclusion, Switzerland must congratulate the Counter-Terrorism Committee on the remarkable work accomplished in two years. We invite it to pursue, in a spirit of tried-and-true consultation, close dialogue with Member States and to increase its cooperation with regional organizations and specialized technical bodies such as Interpol, the World Customs Organization, the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons.

The President: I give the floor to the representative of Italy.

Mr. Mantovani (Italy): I have the honour to speak on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia; the associated countries Bulgaria, Romania and Turkey; and the European Free Trade Association countries members of the European Economic Area Iceland and Norway align themselves with this statement.

At the outset, I should like to join other speakers in expressing thanks to Ambassador Arias for the excellent work performed by the Counter-Terrorism Committee (CTC).

The significant results that have been achieved over the past few years in the worldwide fight against terrorism should not be underestimated. Top leaders of terrorist networks have been arrested in Europe, Asia and other regions. Criminal proceedings and trials are under way in several countries, and many sentences have already been handed down. Terrorist cells have been disrupted and attacks foiled in several countries. None of those successes would have been possible without close cooperation among the law enforcement, intelligence and judicial authorities of various nations. This type of cooperation is still the international community's approach to peace and security.

Nonetheless, the threat of terrorism remains a major source of concern. While the terrorist network has suffered major blows, it has also shown extraordinary resilience and a strong ability to adapt to changing situations. It does so by decentralizing its planning and operations and by reconstituting its bases and safe havens elsewhere, especially in failed States

or in countries with particularly weak public institutions.

The European Union recognizes and supports the central role of the United Nations in the fight against terrorism worldwide. Within that framework, the European Union stresses the need for closer cooperation between the United Nations, in particular the Counter-Terrorism Committee, and regional and subregional organizations. The European Union is actively engaged in political dialogue and multifaceted cooperation with several of those organizations. Most recently, the European Union participated in two significant initiatives: the seminar hosted by the Chinese Government in Beijing on 22 and 23 September 2003 within the framework of the Asia-Europe Meeting, and the meeting organized by the CTC and the Organization of American States in Washington, D.C., on 7 October 2003.

On this occasion, I should like to reiterate some of the basic principles underlying the strategy of the European Union.

First of all, the European Union unequivocally condemns all acts of terrorism as criminal and stresses that terrorism is never justifiable, irrespective of its alleged motivations, objectives, forms or manifestations.

The fight against terrorism must be conducted with full respect for human rights and fundamental freedoms, the rule of law and, where applicable, international humanitarian law. In its internal anti-terrorist legislation, the European Union and its member States have set high standards for the safeguarding of human rights.

The European Union considers Security Council resolution 1373 (2001) to be the cornerstone of the international community's cooperation strategy and is firmly committed to its implementation. I should like to highlight some of its basic aspects. The signature, ratification and full implementation of the 12 international conventions against terrorism are a top priority for the European Union. The European Union's members and acceding countries are now parties to the vast majority of those conventions. We strongly encourage all other members of the United Nations to act in that direction. Regional organizations have a crucial role to play, since they can reaffirm their commitment by actively monitoring the progress being made on signature and ratification of the conventions by their respective member States.

The fight against the financing of terrorism is equally crucial. We have increased our efforts and our effectiveness in that field, focusing our attention on cutting off financial flows and other forms of support from terrorist organizations. A list of terrorist individuals, groups and entities is regularly reviewed and updated.

A workshop on terrorism financing, organized jointly by the Italian European Union presidency and the European Commission, will be held in Brussels on 7 November 2003. That forum will provide an opportunity to pursue political dialogue and to exchange information and best practices on problems related to the implementation of international obligations stemming from the relevant Security Council resolutions.

Technical assistance aimed at strengthening counter-terrorism capacity-building is another basic tenet of the European Union's strategy. In addition to programmes carried out by individual member States, the European Commission has launched pilot projects in a few countries in consultation with the Counter-Terrorism Committee.

In that context, the European Union also recognizes the role of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime to assist States in implementing their obligations arising from Security Council resolution 1373 (2001), particularly in becoming parties to and fully implementing the relevant international conventions and protocols related to terrorism. We believe that effective technical coordination in that field is crucial to the success of counter-terrorism capacity- building.

Special attention should be dedicated to the links between terrorism and organized crime, especially trafficking in drugs and human beings. In many instances, funds generated from these criminal activities help finance terrorism. Terrorist organizations also seek to take advantage of migration flows in order to infiltrate countries and execute their deadly projects.

Faced with the serious challenge of terrorism and its global threat to peace and security, the international community must continue to respond with a strategy of cooperation at all levels. To this end, the European Union supports the role of the competent United

Nations agencies and bodies in helping to strengthen the United Nations capacity to counter terrorism and advise Member States on the implementation of the pertinent Security Council resolutions and the United Nations legal instruments against terrorism.

The President: I now give the floor to the representative of Uganda.

Mr. Butagira (Uganda): Allow me to congratulate you, Sir, on your assumption of your important post and to wish you well. Equally, I thank your predecessor, the representative of the United Kingdom, for work well done.

I thank the Chairman of the Counter-Terrorism Committee, Ambassador Arias, for the excellent work being done by his Committee.

I would like to thank the Security Council for organizing this important debate. Issues of peace and security are a shared responsibility of members of the Security Council and non-members alike. The dialogue should continue on this and other important issues of international concern.

I will begin with a simple story. About a month ago, my wife and I travelled to Toronto, Canada, to see our daughter, who had just produced twins. At La Guardia airport, we went through a security check. I was told to remove my shoes and so was my wife. As I was going through the metal detector, something made noise. I did not know what it was. I was told to remove my trouser belt, which had a metal clip, and in the process my trousers nearly dropped down. Still, the noise sounded. I had no metal on me anymore. It was an awkward situation. They would not let me go. Suddenly, I remembered that, in my right leg, there are metal nails which doctors had used to piece together my broken bones as a result of an accident I had sustained. I explained to the security personnel and I was scared that they would not let me go unless, of course, the nails were removed and I were made to go in a wheelchair, unable to walk. Eventually I was let to go. Such, then, was my embarrassment and humiliation and I am sure many here have gone through similar experiences at airports. That is the price we have to pay to counter terrorism.

A lot of money has been spent on gadgets to alleviate the terrorist threat. People have reduced their travel, affecting tourism earnings. The terrorists are forcing us to change our way of life and they should not be allowed to do so. The money diverted to fight terrorist threats could have been used for development purposes and to advance mankind's potential. A lot of lives have been lost and properties destroyed in terrorist attacks. Uganda condemns the indiscriminate use of violence against civilians and its authors.

Here, I want to extend Uganda's condolences to the families of those brave Americans who died for a noble cause just a few days ago in Gaza.

The terrorist threat will not even spare those misguided elements or rogue nations that sponsor terrorism. Terrorists have gradually upped the stakes over the years. From conventional weapons, now they are reaching for weapons of mass destruction. The growing availability of nuclear, biological and chemical weapons has increased the chance of those weapons falling into the hands of non-State actors and, particularly terrifyingly, into the hands of these mindless merchants of terror. Should this prospect come to pass, the world will be brought to a deadly and terrifying precipice.

The time to act is now. The international community needs to work more urgently to ensure the non-proliferation and eventual total elimination of nuclear weapons, as well as the elimination of all weapons of mass destruction. We must also develop verifiable mechanisms for the control and tracing of conventional weapons, including small arms and light weapons, to ensure that they do not fall into irresponsible hands.

In Africa, many of our countries have been victims of terrorist acts perpetrated from both within and without. My own country, Uganda, has had to defend itself at great cost, both in human lives and financial resources, against terrorist attacks by thugs and bandits based beyond our borders. That is why we were compelled to send our troops to the Democratic Republic of the Congo, in exercise of the right of self-defence and in accordance with bilateral agreements, in order to destroy the camps and supply lines of these bandits. That is also why we have had to send our troops to southern Sudan, with the agreement of the Government of the Sudan, in order to eliminate the terrorists of the so-called Lord's Resistance Army, who for the past 17 years have used that area as a springboard to terrorize the innocent villagers of northern Uganda. Similar stories are occurring daily in many areas of Africa.

Today, we would like to call upon the international community, particularly the Security Council, whose primary mandate is to ensure international peace and security, to assume their responsibility and to address in a substantive way the growing menace of international terrorism. In addition to the elaboration of multilateral mechanisms and instruments to combat terrorism, our countries should be assisted financially and technically in building capacity for the detection, prevention and combating of the scourge of terrorism.

In Uganda, we have passed an anti-terrorism act that criminalizes terrorism and its financing. The financial institutions are required to comply with the act as far as the financing of terrorism is concerned. We have also put into place anti-money-laundering measures and soon will enact legislation to that effect.

Assistance is needed for the training of security personnel, the acquisition of necessary equipment and the restriction of the movements of terrorists and their funds across borders. Otherwise, the very existence of States, the livelihood of their citizens and, ultimately, international peace and security are threatened.

Finally, Uganda has continued to submit reports to the Counter-Terrorism Committee, as required under resolution 1373 (2001). We support Germany's proposal for creating the office of a coordinator to act as a focal point for the United Nations effort to fight terrorism.

The President: I thank the representative of Uganda for his expression of condolence.

I now give the floor to the representative of Japan.

Mr. Haraguchi (Japan): The growing threat of terrorism — as demonstrated by the bombings at a hotel in Jakarta, Indonesia, and at the United Nations headquarters in Baghdad in August; at the city centre of Mumbai, India, last month; as well as the frequently occurring terrorist attacks in Iraq in recent months — poses an extremely grave challenge to our effort to build a more decent world.

I would like to reiterate the importance of resolute action on the part of the international community in the fight against terrorism and to touch upon the following three points in that connection.

First, I have repeatedly point out that it is important to deny safe haven to terrorists. Despite the repeated appeals of the international community, the number of contracting parties to the counter-terrorism conventions and protocols is still far from satisfactory. In this connection, Japan has organized a seminar that is being held today and tomorrow in Tokyo with a view to encouraging accession to these counter-terrorism conventions by countries in South-East Asia.

International and regional efforts are also essential in order to deny safe haven to terrorists. We welcome the strengthening of cooperation between the CTC and other international and regional organizations. One example of a regional effort in Asia was the Asia-Europe Meeting seminar on anti-terrorism held last month in Beijing, co-sponsored by China, Denmark, Germany, Spain and Japan. My country is determined to continue efforts to further strengthen such international and regional cooperation.

Secondly, as regards the task of denying terrorists access to the means of committing acts of terror, the importance of promoting the conclusion of the International Convention for the Suppression of the Financing of Terrorism and of strictly implementing the sanctions imposed on Al Qaeda and the Taliban by Security Council resolution 1267 (1999) and subsequent resolutions can hardly be overemphasized. Efforts by Member States, however, should not stop there. They need to go well beyond these measures. Japan has frozen the assets of the military wing of Hamas, in accordance with resolution 1373 (2001), but in the light of the fact that Hamas has expressed its tolerance of and support for terrorism, we have decided to take measures to freeze the assets of Hamas as a whole. We believe that these measures taken by my country will encourage further efforts by the Palestinian Authority to dismantle the terrorist infrastructure, as required by the road map, and thus contribute to achieving peaceful coexistence between Israelis and Palestinians and to bringing about peace in the Middle East.

With regard to the arms that can be used as a direct means of committing terrorist acts, we welcome the recent recommendation of the Group of Governmental Experts on the United Nations Register of Conventional Arms that man-portable air defence systems be included among the categories of arms subject to registration and reporting. We hope that the inclusion of these weapons in the United Nations

Register, once agreed upon by Member States, will make a significant contribution to preventing terrorists from acquiring them.

We are also of the view that the CTC and the Security Council as a whole should seriously address the issue of the proliferation of weapons of mass destruction in the context of our fight against terrorism.

Thirdly, lack of capacity due to a variety of constraints prevents many developing countries from taking effective counter-terrorism measures, although they recognize their importance and have the earnest intention of implementing them. It is essential to extend assistance for capacity-building to those developing countries. Japan will continue to contribute in this area through activities such as inviting conference and seminar participants from developing countries, in coordination with the CTC.

The necessity of addressing the root causes of terrorism has been underscored on numerous occasions. Identifying and addressing the root causes is crucial, and all parties are called upon to make a serious effort to eradicate them. However, while acknowledging the need to address the underlying causes of terrorism, we can never accept the existence of root causes as justification for the use of terrorism or as an excuse for delay in taking effective counter-terrorism measures. We should be aware that only with resolute will and determined action will we be able to overcome the threat of terrorism.

The President: I give the floor to the representative of Israel.

Mr. Mekel (Israel): Allow me at the outset to pay tribute to the Ambassador of Spain, Mr. Inocencio Arias, for his stewardship as Chairman of the Counter-Terrorism Committee (CTC). Under his leadership, the CTC continues to play a vanguard role in the global campaign against terrorism, in assisting and monitoring State implementation of resolution 1373 (2001). Israel takes this opportunity to reaffirm our support for the work of the CTC and assure it of our full cooperation.

The war on terrorism has not been won. Although both committees established by the Security Council to fight that scourge have made significant contributions since the Council last discussed this issue in July, there is a risk of increasing complacency. On the day that a terror attack succeeds, gruesome pictures are broadcast across the globe, and we are overwhelmed with genuine sympathy for the victims. But our resolve to fight terrorism — not merely to condemn it — must remain even when the images fade.

Recent attacks have demonstrated that extremist elements are willing and able to strike at any target, in any hemisphere, without concern or regard for human life. In Baghdad in late August a terrorist bomb ripped through United Nations headquarters, killing the top United Nations envoy in Iraq, Sergio Vieira de Mello, among many other victims. In Haifa this month, a homicide bomber blew up the Maxim restaurant, destroying over 40 years of Arab and Jewish cooperation, killing 21 Israeli civilians, including three whole families, and wounding over 60. Just yesterday, three American citizens were killed in a terrorist attack in the Gaza Strip as they were on their way in convoy to interview Palestinian students for scholarship grants. No part of the world — New York, Washington, Mombassa, Karachi, Bali, New Delhi, Mumbai, Casablanca, Jerusalem — is immune from the scourge of this global threat.

We need an international partnership — a coordinated global approach to combating international terrorism. Israel welcomes the efforts of the Chairman of the CTC to develop a new activist agenda for the that body, and we look forward to the expansion of existing bilateral and multilateral activities to strengthen both the political will and the practical capabilities of States to this end.

Global anti-terrorism conferences, such as those organized by the CTC and the Organization of American States (OAS) in New York and Washington this month, serve as instruments to establish the legal parameters for all regions and Governments to collaborate to devise effective strategies and implement policies to dismantle networks that provide financial and logistical support to terrorists.

Regional organizations like the OAS serve a vital role as catalysts and intermediaries, working in conjunction with the CTC to meet the specific needs of Member States. In the past few months, significant contributions have been made by regional organizations in the areas of capacity-building, distribution of information, best practices, assessment and programme implementation.

Still, our pace is too slow. The development of practical counter-terrorism instruments and capabilities is an important achievement, but they only matter if

they are implemented on the ground. Paper must not be confused with progress.

A number of States, while demonstrating the political will to fight terrorism, lack the proper instruments to do so. International codes, best practices and model legislation are the keys to success. However, our pace is slowed primarily by those regimes that are able but unwilling to join this campaign. It takes only one non-compliant or complicit State to provide safe harbour for a terrorist operative and to enable the perpetration of future attacks against civilians. Those who harbour terrorists or fund acts of terror are as guilty of terrorism as those who pull the triggers, detonate the bombs or crash the aeroplanes. Those who abuse the language of resistance to justify the murder of innocents create the environment where such murder can take place.

For Israel, it is self-evident that the international fight against terrorism must begin at home, at the national level. It can succeed only if every individual State makes a sincere commitment to prevent terrorists from obtaining weapons and to dismantle the infrastructure and networks that sustain them.

The threat of weapons of mass destruction falling into the hands of terrorists is a dire illustration of the nexus between terrorism and the illicit transfer and proliferation of weapons. It is incumbent upon the Committee and States to set standards for their import and export, in order to ensure that no weapon of any magnitude could be supplied to clients who may, in turn, transfer them to terrorists.

The intensive cooperation and coordination of the international counter-terrorism community is also necessary in addressing the dire threat posed by man-portable air defence systems (MANPADS). As the CTC works to consolidate its agenda for the near future, Israel reiterates its call for increasing efforts to combat the threat of MANPADS, both strengthening countermeasures and reducing the danger of proliferation.

Security Council resolution 1450 (2002) condemned in the strongest terms the missile attack in Kenya on an Arkia Israeli Airlines flight. Subsequent warnings of planned attacks involving shoulder-launched surface-to-air missiles capable of destroying civilian aircraft at low altitudes underscore the need for States to take urgent action to curb the proliferation of those weapons and access to them by terrorist groups.

Finally, we must recognize the crucial role that is played by vicious incitement in the creation of suicidal terrorists and in the fostering of an environment that supports them. Unfortunately, in our region there are too many examples of children who attend schools adorned with posters of terrorists, study from books filled with inflammatory rhetoric and watch children's television programmes filled with songs which demonize other cultures and praise terrorism and violence.

We must ensure that information in educational, religious and political institutions, as well as the media, is used to promote progress and tolerance, knowledge and understanding, and not be used as a tool to subvert them. If education is left in irresponsible hands, we risk giving birth to generations of children deprived of the chance even to contemplate peace and who are incited to consider the murder of innocent civilians as a legitimate and even noble act. If incitement is not eliminated, in accordance with established human rights norms, it will be impossible to move away from terror and violence to the path of dialogue and the building of a better future.

The goals of terrorism are clear: to spread fear, to weaken the rule of law, to undermine the exercise of our most basic human rights, to demoralize law-abiding citizens and ultimately, to destroy the essential institutions of society. The targets and intended victims of this vicious cycle are democracy and freedom itself. The concerted efforts of the CTC, the Council and the international community as a whole are needed to ensure that the terrorists' goals are never achieved.

The President: I give the floor to the representative of Colombia.

Mr. Rivas (Colombia) (*spoke in Spanish*): Colombia fully endorses the statement made by the Permanent Representative of Peru on behalf of the Rio Group. We thank the Ambassador of Spain, Mr. Inocencio Arias, chairman of the Security Council's Counter-Terrorism Committee (CTC), for his assessment of the work accomplished during the eighth work programme of the Committee and for submitting the ninth work programme, for the three-month period extending from October to December 2003.

We welcome the progress the Committee has made since it was created in implementing worldwide resolution 1373 (2001), on the basis of the principles of cooperation, transparency and equal treatment, and in

achieving its goal of maintaining and strengthening the international community's consensus on the importance of combating terrorism. We support the Chairman's initiative of identifying difficulties in the Committee's structure and functioning.

The question the Council is considering today is fundamental for a country such as Colombia, which is defending democracy and the human rights of its citizens from the attacks committed daily by three terrorist organizations. The current Government has found approximately 30,000 persons belonging to armed organizations that can be considered terrorists due to the nature of their acts. In the approximately 1.2 million square kilometres of our national territory, of which almost 400,000 square kilometres are jungle, the lack of a State presence in many areas has been taken advantage of by terrorists. Of 1,100 municipalities, 170 had no police presence.

In the first year of the mandate of President Uribe, the policy of democratic security that has been applied to uproot terrorism in the country yielded its first results. A police presence has been extended to 151 municipalities, the number of homicides has dropped 22 per cent, the number of massacres has fallen 35 per cent, kidnappings have been reduced 34.7 per cent, illegal detentions on the highways have dropped 49 per cent and the number of internally displaced people has been reduced by 66 per cent. The reduction of all these types of crime is significant, but their levels continue to be alarming. No country can accept such circumstances.

The progress made in protecting our fellow citizens encourages us to continue our efforts to vanquish terrorism, in rigorous conformity with the law. We require more extensive powers that remain in keeping with the rule of law. Currently, the Government is preparing an amendment to the Constitution to allow the public forces of order, in cases of terrorism, to deploy specialized personnel to carry out arrests, searches and communications interceptions. That amendment will include democratic safeguards so that an independent public prosecutor can subsequently take immediate action and the office responsible for oversight of the civil service can be informed, as well as the Congress, which possesses responsibility for political control. The powers proposed in this amendment are considerably weaker than laws in effect in democracies that do not have our degree of terrorist risk.

A few weeks ago, before the General Assembly, President Uribe said that,

> "In Colombia's current situation, terrorism, illicit drugs, violence and insecurity are really the same thing. We plead for a commitment from the world so that we are able to completely defeat drugs. We implore the world not to harbour our terrorists, to help us confiscate their goods and only to open their doors to help peace processes." (*A/58/PV.17*)

That is why my delegation requested to speak at this debate, in order to insist on the need for the CTC and the Security Council to take up fundamental issues that we had already brought forward in the debate last 23 July.

First, in spite of the fact that in resolutions 1373 (2001) and 1456 (2003) the Security Council expressed concern at the close links existing among terrorism, transnational organized crime, the use and illicit trafficking of drugs, money-laundering and illicit arms trafficking, it is necessary for the Committee and the Council to deal with those links more thoroughly. That is essential if we take into account that to the degree that the controls imposed by resolution 1373 (2001) on the financing of acts of terrorism meet with success, terrorists will increasingly resort to these types of crime to finance their activities. In Colombia, this has been occurring for several years now, and today drug trafficking and money-laundering have become the principle source of financing for the terrorist groups operating in the country.

That is why we insist that the nature of terrorist acts must be defined not just according to the place where they are committed or by their national or global reach, but also by the roots of their financing and the money used to finance them. It has been demonstrated that the international financial networks used by terrorism are similar to those used in the illegal trafficking of drugs and arms. It is urgent that the frontal war against terrorism include the campaign against its related crimes on the basis of the principle of shared responsibility.

Secondly, terrorism is a single phenomenon, regardless of the form it takes. Any terrorism, domestic or international, must be rejected and fought with the same determination. It cannot be any other way, since it challenges democratic principles that respect life and fundamental freedoms of individuals — principles

cherished by our peoples and this Organization. Moreover, any terrorism can become a threat to international peace and security.

Finally, we emphasize the need to carry out a serious study on the feasibility of the CTC and the Security Council drawing up a general list of world terrorist organizations similar to the one maintained by the 1267 Committee on Al Qaeda and the Taliban. We do not think that a prior formal definition of terrorism, which has not been possible to achieve in the past 30 years, is necessary in order to begin to draw up that list. Anyone who perpetrates, in the words of General Assembly resolution 49/60, "Criminal acts intended or calculated to provoke a state of terror in the general public", is a terrorist, regardless of motivation. We must, once and for all, rid ourselves of the political content of the topic of terrorism in order to be able to fight it in all parts of the world for what it is — a serious crime against the life and liberty of peoples and a serious threat to civilization.

While reiterating our support for the work carried out by the Security Council and the CTC in the fight against that universal scourge, I wish to inform the Council that Colombia is taking steps domestically to ratify counter-terrorism conventions to which it is not yet a party. We therefore reiterate our appeal for cooperation on the part of the international community with regard to legal and police activities, as called for in resolution 1373 (2001), to successfully fight terrorism.

In that area of international cooperation, we must emphasize that the United Nations has the capability, the experience and the moral authority to help all countries and regions throughout the world beset by the scourge of terrorism.

The President: I call on the representative of India.

Mr. Gobinathan (India): We thank you, Sir, for scheduling this public meeting of the Security Council on an issue of considerable importance and great concern to all members of the United Nations. We also congratulate Ambassador Arias of Spain and his team for their capable stewardship of the Counter-Terrorism Committee (CTC), established pursuant to Security Council resolution 1373 (2001).

Terrorism is not a new phenomenon and, contrary to some popular misperceptions, the fight against terrorism was not born out of 11 September. India has been at the forefront of the fight against terrorism for almost two decades. During this period, over 60,000 Indians, mainly women and children, have lost their lives to terrorism. Most recently, in a major incident, 52 innocent bystanders were killed in the twin terrorist attacks in the city of Mumbai.

The scourge and reach of terrorism has indeed extended across the world. Globalization cannot be seen today merely in the context of the success of free enterprise or the pervasiveness of television and other mass media. The very means that have facilitated the success of the global marketplace — improved communications, access to media, better transport links and faster and easier means of international travel — have contributed to the development of a global network of terrorism, — a network that feeds on the common message of hatred and seeks to attain the common objective of carnage and indiscriminate destruction, and to demoralize and thereby dominate civilized societies, particularly those based on pluralistic democracies.

Unfortunately, some States regard terrorism as a low-cost means of inflicting damage to the social, political and economic well-being of their supposed detractors by pursuing a form of low-intensity warfare, without its attendant costs or risks. Despite the claim that they are part of the global alliance against terror, they stand implicated by their past records and present inability to come clean.

Contradictions persist but cannot persevere. In a recent newspaper article, a senior envoy of a permanent member of the Security Council has reportedly accused a Government, also a member of this Council and which professes to be a valued partner in the war against terrorism, of allowing renegade Taliban forces a safe haven from which to "regroup, recruit, cross into Afghanistan and cause mayhem" — a fact that Afghan leaders have sought consistently to underscore at the highest levels.

The Secretary-General, in his report entitled "Measures to eliminate international terrorism", observes that "it has to be assumed that the grenades used in this terrorist attack" — the attack on the Indian Parliament in New Delhi on 13 December 2001 — "were produced in Pakistan". (*A/58/116, para. 22*) We in India did not require this corroboration of a fact that we had already deduced on the basis of solid and

incontrovertible evidence gathered from the terrorists and their accomplices themselves. But the fact that the Secretary-General has brought this to light in a report that considers measures to eliminate international terrorism is in itself a telling story, as it is also indicative of the double standards that we sometimes seem to operate under.

An article published in *The New York Times* yesterday refers to the United States Treasury Department designating a charity, Al-Akhtar Trust International, as a financial sponsor of terrorism. This group is accused of financing Al Qaeda militants in Afghanistan, terrorist acts in Iraq and of possible linkages to the murder of *The Wall Street Journal* reporter Daniel Pearl. Anyone looking for more material available in the free press on the existence of an epicentre of terrorism has only to read the celebrated French author and philosopher Bernard Henri Levy's recently released book, *Who Killed Daniel Pearl?*

The CTC, for all its good work, will need to go beyond the stage of inexhaustible reporting to a more serious examination of the actual actions taken by States in their international counter-terrorism effort. The Committee would have to take advantage of the momentum achieved since its establishment to go beyond assisting in the creation of legal and financial mechanisms to holding countries accountable for their genuine commitment to and actions in the fight against terrorism from territories under their control.

India was among the first countries to ratify all 12 Conventions on international terrorism. It has initiated the draft comprehensive convention on international terrorism, currently under consideration in the Sixth Committee of the General Assembly, and supports the adoption of the draft International Convention for the Suppression of Acts of Nuclear Terrorism. Cognizant of the possible threat to civilized and orderly societies by terrorists and non-State actors equipped with weapons of mass destruction, India sponsored a resolution dealing with the linkages between terrorism and weapons of mass destruction, which was adopted by the General Assembly by consensus last year.

A number of countries have responded quickly to the international call for the tightening of domestic legislative and financial frameworks designed to counter terrorist activities. Unfortunately, there is an increasing feeling among Member States that the more effective the response to the requirements and questions of the CTC, the more voluminous and intrusive the reporting process becomes. In our view, it is important to avoid conveying the impression, however erroneous, of an expanding bureaucracy, represented by the CTC secretariat, indulging in an exercise of self-preservation and self-perpetuation.

While we acknowledge fully that the development of effective legislative and financial mechanisms is the first step in enabling States to come to grips with the fight against terrorism, we are convinced that a system of endless reporting, without any effort to keep sight of the larger objective realities, can only disillusion States and ultimately impact adversely on the efforts of the Security Council to mobilize an effective international counter-terrorism effort.

It is critical that a system of effective interface between Council members and the larger membership on the manner in which the CTC should operate be arranged on a periodic and institutional basis. Feedback from such exchanges needs to be monitored and absorbed by the CTC. What are required are clear and objective guidelines to govern the system of reporting to which States are subject. Most important, transparency and openness in the process will foster a greater willingness among respondents, namely the Member States, to cooperate.

The undue emphasis on cooperation with other international and regional organizations in the work of the Committee work will also require careful consideration. States are accountable for their actions but several partner organizations of the CTC that have been placed on an equal pedestal with the States Members of this Organization do not bear the same responsibility or accountability. Often, they even lack the mandate or competence to deal with the area of work of the CTC.

In our view, the primary point of contact for the CTC should continue to be the Member States, under whose mandate the Committee operates. Discussions with regional and international organizations should be secondary to discussions with States. All interfaces with partner organizations must be undertaken with the full knowledge and consent of the States involved in the organization concerned. Also, regional imbalances in the number of partner organizations with which CTC works will have to be taken into account.

Finally, issues such as the credibility and sources of information and the independence of experts working with the CTC are important, particularly if the views of Member States are not always taken into account.

We have provided those illustrations in order to convey candid feedback of the impressions and opinions of the larger membership. The ultimate aim is to enable the Council and the Chair of the CTC to take such opinions on board in the implementation of the Committee's mandate. I should like to reiterate here that they have been made in a constructive spirit.

The fight against terrorism is among the most important issues currently on the agenda of this Organization. It is being pursued simultaneously in most, if not all, of the United Nations major organs, including the Security Council. My Government has been, and will continue to be, engaged fully in the fight against international terrorism. I would like to take this opportunity to express once again our deep appreciation to the Chair of the CTC for his efforts in leading that important Committee of the Security Council and to assure him of our fullest cooperation in the fulfilment of his noble mission.

The President: I now give the floor to the representative of Azerbaijan.

Mr. Aliyev (Azerbaijan): First of all, I would like to welcome today's opportunity to participate in the open debate on so important and pertinent a subject as terrorism vis-à-vis international peace and security, and to thank Ambassador Arias for his very interesting and informative briefing.

A bit more than two years ago, the Security Council adopted resolution 1373 (2001), reaffirming its unequivocal condemnation of the terrorist attacks that took place in the United States on 11 September 2001 and expressing its determination to prevent all such acts in the future.

The decision to establish a Counter-Terrorism Committee (CTC) that would increase the capability of States to fight terrorism was dictated by the shared common vision of States of the radically changed security environment and by the necessity to jointly face new threats and challenges.

Azerbaijan highly values the activities of the CTC, including its proactive cooperation with regional organizations and groups, aimed at facilitating dialogue and exchange of information on the global and regional levels. As a coordinator on counter-terrorism issues within the Georgia, Uzbekistan, Ukraine, Azerbaijan, Moldova Group (GUUAM), my country shared within the CTC the Group's perspective on addressing new threats caused by terrorism. In this capacity we actively participated in the 6 March 2003 meeting of the CTC with regional and subregional organizations as well as in the follow-up meeting jointly organized by the CTC and the Organization of American States this October in Washington, D.C. We consider that regular exchange of opinions and information on the subject will be to the great benefit of our joint work.

Indeed, today we find ourselves in an era of increased and globalized instability that respects no borders. The threats, risks and challenges to international peace and security have undergone a serious qualitative transformation. In the meantime, the scale of those threats has also increased. Today, terrorism and other asymmetric threats and challenges to security are more international and far more lethal than before. Terrorist attacks that have been taking place on a regular basis ever since 11 September 2001 have, unfortunately, had a strong grip on the news headlines and prove that, despite certain progress achieved in addressing this challenge, the threat is still with us.

Azerbaijan condemns in the strongest possible terms all terrorist attacks perpetrated recently throughout the world, including the terrorist act against the United Nations headquarters in Baghdad and the most recent terrorist attack against the Turkish Embassy in the same city, which were further attempts to undermine the international community's efforts to improve security within Iraq.

While actively participating in the global fight against terrorism and reiterating our continued readiness to provide an important contribution to that effort in future, we would like to stress once again that the fight against terrorism cannot be successful if that evil is treated on its own, in isolation from such terrorism-breeding threats as organized crime, aggressive separatism, militant nationalism, drug trafficking and the proliferation of small arms and of weapons of mass destruction.

It is imperative to target ways and means of accumulating the huge financial assets that fuel organized criminal groups with close operational ties to

international terrorist networks and illegal armed separatist movements. The territories that are currently controlled by unlawful separatist regimes, in particular within the zones of so-called frozen conflicts, have been turned into grey zones of various criminal activities, and illicit profits gained therein are being actively used to bolster armed separatism and terrorism.

All of this once again testifies to the necessity for the international community to take a more resolute and bolder stance on the question of resolving the aforementioned conflicts on the basis of ensuring and, where necessary, enforcing respect for the norms and principles of international law, including the principle of the territorial integrity and sovereignty of the Member States.

The President: I now give the floor to the representative of Liechtenstein.

Mr. Wenaweser (Liechtenstein): The Counter-Terrorism Committee (CTC) plays an outstanding role in the international efforts to combat terrorism, even more so because progress in related areas such as the drafting of a comprehensive convention to fight terrorism is still not forthcoming. I would also like to thank the Chairman of the Counter-Terrorism Committee, Ambassador Inocencio Arias, for his very informative briefing today and to express my delegation's gratitude for the work undertaken under his leadership.

Two years after the adoption of Security Council resolution 1373 (2001) and the subsequent establishment of the Counter-Terrorism Committee, the Committee finds itself at a crucial juncture. While the world has witnessed a number of successes in the fight against terrorism during the past two years, in particular the arrests and subsequent trials of a number of terrorist suspects, there have also been a disconcerting number of setbacks and new attacks, such as the atrocious bombing of the United Nations headquarters in Baghdad almost two months ago. Those are some of the most visible and concrete examples showing that international cooperation in the area is needed now more than ever. The work of the CTC, however, cannot simply be measured against those events. Its task is to prepare the ground for a common, sustainable approach by all Member States in the fight against terrorism, with a view to its long-term success. That is a task of the utmost importance and delicacy since it involves the constant striking of a balance between the sometimes conflicting goals of national and international security and the rights of individuals.

We remain convinced that human rights, which rank among the greatest achievements of this Organization, must not fall victim to the fight against terrorism. This requires a clear commitment by the United Nations and its Member States to the maintenance of human rights and the rule of law while countering terrorism, as expressed by the General Assembly in its resolution 57/219, but also a considerable amount of expertise. We commend the CTC's increasing efforts to coordinate the provision of technical assistance, and we would like to express our view that such technical assistance should also be tailored to meet the needs of human rights and the rule of law.

The CTC's reporting system is another pillar of its work aimed at promoting the implementation of resolution 1373 (2001). While the reporting procedure has so far been a clear success in quantitative terms, further thought needs to go into its strengthening in qualitative terms. Every Member State has reported at least once to the Committee, many have done so twice, and a number of States — among them Liechtenstein — even three times. However, it also remains clear that the number of reports submitted by a State is not a reliable indicator of its willingness and ability to implement resolution 1373 (2001).

It will be one of the most pressing challenges for the CTC in the near future to address this issue in a manner that takes into account the specific situations in which States find themselves, while at the same time establishing uniform benchmarks for all States. Those benchmarks do not end with the issue of the ratification of international conventions relating to the fight against terrorism — and Liechtenstein has ratified all 12 of them — or with ensuring that the necessary legislation is in place. Legislation is only the basis for action, and cannot replace concrete action and practical measures. We therefore encourage the CTC to continue its work in all relevant areas, including in the increasingly important field of implementation.

We believe that the debate today has brought forth useful new ideas. I would like to refer in particular to the statement made by the representative of Germany earlier today.

Finally, let me reiterate Liechtenstein's unequivocal condemnation of all acts of terrorism, whatever the justifications and motives invoked. We remain committed to the international fight against terrorism, and to cooperation with the CTC in particular.

The President: I give the floor to the representative of Indonesia.

Mr. Jenie (Indonesia): I have the honour to speak on behalf of the member countries of the Association of South-East Asian Nations (ASEAN), namely Brunei Darussalam, Cambodia, Indonesia, the Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam.

I would like to take this opportunity to express the deep appreciation of my delegation to the Security Council for convening this meeting on the work of the Counter-Terrorism Committee (CTC). Before I go further, tribute is also due to Ambassador Arias for his great sense of leadership, and to the Vice-Chairs, other Committee members and all the experts involved for their dedication and hard work.

ASEAN welcomes the ninth 90-day work programme of the CTC, during which it will advance its objectives. We are encouraged that the CTC plans to prepare a follow-up programme with other organizations in the field of international cooperation. ASEAN shares the view that such contacts and meetings are useful as a continuing avenue for the exchange of views and coordination towards combating terrorism. ASEAN also welcomes the enhanced coordination between the CTC and the Security Council Committee established pursuant to resolution 1267 (1999).

Allow me to provide an update on ASEAN's continuing efforts in combating international terrorism since the last Council meeting on the CTC, held on 23 July 2003. First of all, at the ninth ASEAN summit, held in Bali on 7 October 2003, ASEAN firmly agreed to continue to undertake and build on the specific measures outlined in the ASEAN Declaration on Joint Action to Counter Terrorism, which was adopted in November 2001 in Brunei Darussalam. By this, ASEAN committed itself to intensifying its efforts, collectively and individually, to prevent, counter and suppress the activities of terrorist groups in the region. ASEAN also underlined the need to maintain practical cooperative measures among its member countries and with the rest of the international community.

Furthermore, within the context of combating global terrorism more effectively, ASEAN further reaffirmed its determination to work together in mitigating the adverse impact of terrorist attacks on ASEAN countries, and urged the international community to assist in these efforts. It pledged to ensure the security and harmony of its societies and the safety of its peoples, and also of others visiting or residing in its countries and in the region.

At the meeting of heads of State or Government of ASEAN member States and the Republic of India on 8 October 2003, the ASEAN-India Joint Declaration for Cooperation to Combat International Terrorism was adopted. In essence, both parties reaffirmed the importance of a framework to prevent, disrupt and combat international terrorism through the exchange and flow of information, intelligence and capacity-building. They also stressed their commitment to implementing the principles laid out in the Declaration in accordance with their respective domestic laws and specific circumstances. They called on participants of the ASEAN-India dialogue to become parties to all 12 United Nations conventions and protocols relating to terrorism. The Declaration further called on the participants to designate an agency to coordinate with law enforcement agencies, authorities dealing with counter-terrorism and financing and other concerned Government agencies, and to act as the central point of contact for the purpose of implementation of the Declaration.

ASEAN continues to condemn terrorism in all its forms and manifestations and emphasizes the need to address the root causes of terrorism, and rejects any attempt to associate terrorism with any religion, race, nationality or ethnic group.

In addition, individual ASEAN members are engaged in various initiatives related to combating international terrorism, such as the Agreement on Information Exchange and Establishment of Communication Procedures, originally signed by Indonesia, Malaysia and the Philippines on 7 May 2002. To date, the countries which have become parties to the Agreement are Brunei, Cambodia, Indonesia, Malaysia, the Philippines and Thailand. Under the Agreement the parties would cooperate to combat transnational crime, including terrorism.

Finally, ASEAN welcomes the opportunity to participate in future CTC meetings in order to present updates on the progress made in our region in the fight against terrorism.

The President: I give the floor to the representative of South Africa.

Mr. Nacerodien (South Africa): My delegation appreciates this opportunity to share our views with the Security Council at this important debate on threats to international peace and security caused by terrorist acts. The United Nations has made great strides in the global fight against terrorism. We would like to thank Ambassador Arias of Spain for his briefing this morning and for the exemplary manner in which he has chaired the Counter-Terrorism Committee (CTC).

The recent attack on the headquarters of the United Nations in Baghdad demonstrated the vulnerability of the Organization, which is above all else dedicated to promoting peace and security in a non-partisan manner. It is my Government's view that to direct an attack against the United Nations is to combat the collective efforts of the international community aimed at promoting peace and improving the living conditions of the most unfortunate.

The death of three United States diplomats in Gaza two days ago is a regrettable reminder of how unsafe and unruly the world can become. If the international community is going to succeed in maintaining global peace and security, we will need to adopt a comprehensive approach to dealing with conflict situations.

In dealing with global terrorism, the international community will need to address the conditions that make it possible for terrorism to thrive. We cannot hope to make progress so long as we ignore factors such as poverty, human rights abuses and foreign occupation, which prompt irrational acts of violence and self-destruction.

No Government can hope to defeat terrorism on its own, because terrorists now operate on a global scale, virtually oblivious to State boundaries and equipped with the latest technologies that allow them to operate international networks. In combating terrorism it is equally important that our national and multilateral efforts respect international law, human rights and global norms regarding the protection of civil liberties. We believe that international law and human rights should constitute the bedrock of our collective efforts to eradicate the scourge of terrorism, because it distinguishes us, as law-abiding people, from those who target innocent civilians for political gain.

My delegation believes that no legislative measures and no amount of police action, intelligence-gathering or military force can ever guarantee our safety while millions of disaffected and marginalized people across the world continue to suffer the threat of hunger and debilitating poverty. If continuously overlooked, the insecurity derived from lack of food, shelter and other basic human and social needs can become a serious cause of instability and conflict.

It is essential to bear in mind that combating terrorism is one of the number of often interrelated priority tasks of the Organization. In Southern Africa, as in many other parts of the world, a central challenge remains the eradication of poverty and underdevelopment, which constitute a serious threat to peace and security. To that end, the campaign against terrorism should also take into account the poor of the world, who require resources to extricate themselves from their condition of poverty and underdevelopment.

Terrorists take advantage of the sense of despair and frustration that arises when people are forced to live without hope and without freedom. Terrorists also capitalize on situations where States violate human rights during their counter-terrorism operations. Whenever States resort to making arbitrary arrests, detaining people without trial, subjecting suspects to cruel or degrading treatment or singling out certain ethnic or religious groups, terrorists are given new recruitment opportunities. It is our belief that objective criteria need to be developed by the Security Council when drawing up lists of names of individuals and entities committing terrorist acts, taking care not to single out certain cultures, religions or countries.

We need to be aware of the fact that there are still people living under foreign occupation, who are entitled under international law to resist such occupation. We also need to be cautious when we regulate or monitor cultural practices such as informal donations to charitable causes, in order to uphold civil liberties. Although charities may be exploited by terrorists, we should avoid frustrating the noble objectives that such charities were created to serve, in the process further alienating entire communities.

An issue that remains of concern to South Africa relates to perceptions that are created by unsubstantiated travel advisories by other Governments and the media regarding the potential for terrorist activities in third countries. Due to the negative impact of those advisories on the economies of the affected countries, it is imperative that credible intelligence concerning potential terrorist attacks be shared with the relevant foreign authorities so that preventive action may be taken.

South Africa remains fully committed to the struggle against terrorism. Efforts to enhance our counter-terrorism capabilities under the auspices of the United Nations are complemented by the collective actions of our African partners through multilateral organizations such as the African Union, the Commonwealth and the Southern African Development Community. My delegation continues to value South Africa's close working relationship with the CTC's counter-terrorism experts, especially at a time when our Government is in the process of preparing our fourth national report on counter-terrorism.

The President: I now give the floor to the representative of Kazakhstan.

Mr. Kazykhanov (Kazakhstan): I would like to thank you, Mr. President, for organizing this debate, which gives us an excellent opportunity to review the progress made in the fight against terrorism and to determine priorities for the subsequent work of the Counter-Terrorism Committee (CTC).

My delegation would like to pay tribute to Ambassador Arias for the effective leadership he has displayed in steering the work of the CTC. I would also like to thank him for his informative briefing and his presentation of the Committee's comprehensive 90-day work programme.

The unprecedented attack against United Nations headquarters in Baghdad last August was the cruellest and largest-scale terrorist act in the entire history of our Organization. General Assembly resolution 57/338, which was adopted by the Assembly soon after that tragic event, strongly condemned that atrocious attack and called for intensified cooperation to prevent and eradicate such acts of terrorism. It is a timely resolution, given the threats faced by United Nations personnel in war zones all over the world.

We believe that the issue of combating terrorism should remain a top priority on the agenda of the international community. Security Council resolution 1373 (2001) is a landmark in the global fight against terrorism. Under the leadership of the Counter-Terrorism Committee, we continue to move forward towards full implementation of that resolution.

Since its inception, the Committee has been at the forefront of the fight against major threats to international peace and security and has been involved in a wide range of activities. My delegation encourages the CTC to intensify its cooperation with international, regional and subregional organizations. The second meeting of the CTC with international organizations, which was held in Washington on 7 October, has given further impetus to our joint actions against terrorism.

We support the Committee in attaching great importance to that cooperation, which enables us to broaden the dialogue that is so essential to combating terrorism. We commend the CTC for its efforts to pursue an open dialogue with Member States in a spirit of transparency, as well as its assistance to countries to enhance their capacity to combat terrorism.

The Counter-Terrorism Committee has a broad mandate encompassing international cooperation, internal executive machinery and domestic legislation. My delegation is pleased with the Committee's focus on enhancing legislation and national mechanisms for a more effective fight against terrorism. Since the establishment of the CTC, we have witnessed a steady increase in the number of countries acceding to international instruments on terrorism. For its own part, Kazakhstan has ratified the International Convention for the Suppression of the Financing of Terrorism and the International Convention for the Suppression of Terrorist Bombings. In the near future, our country intends to complete the process of accession to all 12 international instruments on terrorism.

Kazakhstan supports the tireless efforts of the United Nations to combat international terrorism. Pursuant to resolution 1373 (2001), my country has taken effective measures against terrorism by establishing a comprehensive national mechanism to suppress the financing of terrorism and money laundering.

Kazakhstan is also working to enhance cooperation in that area at the regional level. The process represented by the Conference on Interaction

and Confidence-Building Measures in Asia, which was initiated by President Nazarbaev, serves that purpose by encouraging active cooperation among regional States in the fight against terrorism. We believe that the Shanghai Cooperation Organization can make a significant contribution to counterterrorism efforts in the Eurasian region. Kazakhstan has contributed to the establishment of an anti-terrorist centre by the Commonwealth of Independent States. We are taking further steps to develop cooperation in that area with other Central Asian States.

In order to ensure a systematic and progressive approach, the CTC has continued to review reports by Member States on the implementation of resolution 1373 (2001). According to information provided by the Chairman of the Counter-Terrorism Committee, every State has submitted its initial report, 150 States have submitted their second reports and 71 States have presented their third reports.

I am pleased to note that Kazakhstan, having submitted its third report within the established time frame, has fully complied with the requirements of resolution 1373 (2001) and is engaged in a meaningful dialogue with the Counter-Terrorism Committee.

Finally, my delegation believes that it is imperative for the CTC to continue to rely on the support of Member States and of the entire international community. As I mentioned earlier, Kazakhstan has been fully cooperating with the Counter-Terrorism Committee since its establishment and will continue to provide to this important body all necessary support by making every effort to oppose terrorism in all its forms and manifestations.

The President: The next speaker on my list is the representative of Brazil, to whom I give the floor.

Mr. Valle (Brazil): At the outset, I would like to associate my delegation with the statement made by the representative of Peru on behalf of the Rio Group. It is my intention, however, to make a few remarks in my national capacity.

I also avail myself of this occasion to reiterate our deep sympathy for, and solidarity with, all those who suffered in connection with the tragic loss of life caused by the recent heinous terrorist attacks in Baghdad, Haifa and Gaza. Those despicable acts were received with outrage in Brazil. Our thoughts and prayers go to the victims and to their families.

I would like to express our appreciation for the work performed by all those involved with the Counter-Terrorism Committee (CTC), in particular Ambassador Arias, for his skilful performance as Chairman of the Committee and for the clearly stated goals he has set for its continued work. We are also grateful to the independent experts of the CTC, whose work has been instrumental in the progress achieved.

As reported, the Inter-American Committee against Terrorism of the Organization of American States (OAS), in cooperation with the CTC, held a meeting less than two weeks ago to examine how regional and international organizations can advance global efforts to combat terrorism. That meeting — a direct follow-up to the meeting promoted by the CTC and held at the United Nations in March — is a clear example of the broad range of possibilities that exists for cooperation between regional organizations and the United Nations and other international organizations in the identification and implementation of strategies and practices to promote cooperative efforts to counter the threat of terrorism.

In that regard, we look forward to the follow-up programme for activities in the field of cooperation with international organizations announced in the CTC's programme of work for the current 90-day period. As has been repeatedly stated, the OAS has been taking a leading role in terms of concerted regional initiatives in reaction to the threat of terrorism. The results of that meeting could constitute a helpful input for future meetings under the same format with other regional and international organizations.

I would like also to mention the report that the Chairman of the Committee intends to circulate by 15 November regarding the difficulties encountered by States and by the Committee itself in implementing resolution 1373 (2001). That document should constitute a valuable contribution to the evaluation of the appropriate course to be taken in promoting universal compliance with the resolution and in allowing for the careful planning of further actions.

As a final comment regarding the work programme, it is to be noted that all Member States have complied with the obligation of presenting at least their first report to the CTC. Integral compliance with the initial stage of reporting on the implementation of resolution 1373 (2001) is a considerable achievement and shows that the ambitious benchmarks set out in

that resolution, although hard to attain, can be reached. Through the work of the CTC and of other bodies such as the Committee established pursuant to resolution 1267 (1999) in combating terrorism, the Security Council is carrying out its primary responsibility for the maintenance of international peace and security, in accordance with its mandate as set out in the United Nations Charter.

Despite those achievements, terrorism remains one of the greatest threats to international peace and security, fundamental freedoms, human rights and democratic institutions. As recent developments in the Middle East and Iraq make blatantly clear, we are still far from eradicating the scourge of terrorism. On the contrary — as tragically demonstrated by the terrorist attack carried out against United Nations headquarters in Baghdad, which claimed the lives of 22 people, among them Sergio Vieira de Mello — no one, not even those strictly involved with humanitarian and reconstruction efforts and the promotion of human rights and dignity, is safe from the scourge of terror.

Regardless of achievements with respect to compliance with the relevant resolutions of the Security Council, the adoption of pertinent international conventions and coordinated efforts in the combat against terrorism, injustices and inequalities still victimize large portions of humanity. Young people living under such conditions are prone to heed the call of radicalism. Any comprehensive long-term strategy to combat terrorism will have to deal with those issues.

As President Lula stated at the international conference on "Fighting Terrorism for Humanity":

> "Terrorism is a symptom of social disease. By promoting democratic values and respect for human rights, and by promoting the economic development of nations and the social well-being of peoples, we will be building healthy societies, immune to the scourge of terrorism".

In reaffirming my Government's condemnation of terrorism in all its forms and manifestations, I renew the Brazilian commitment to fight against terrorism and its readiness to contribute, with cooperative efforts, at the national, regional and international levels, in accordance with the United Nations Charter, international law and respect for human rights.

The President: The next speaker on my list is the representative of Ecuador, to whom I give the floor.

Mr. Gallegos Chiriboga (Ecuador) (*spoke in Spanish*): Let me at the outset commend Ambassador Arias for his leadership and thank him for his report. I welcome this opportunity for my delegation to address this body of the United Nations, and I appreciate it even more because it is rare for non-members of the Security Council to be able to address this body to express their concerns or views on the most important problems facing the international community as a whole.

Accordingly, my delegation deems it appropriate that its voice be heard concerning one of the most serious and acute problems facing us today — a problem that is disrupting the equilibrium, peace, concord and security of the planet, rending the socio-political fabric and undermining financial architecture and State security — that is to say, the problem of terrorism in all its manifestations and ramifications, with all its linkages to a broad range of illicit activities.

My delegation endorses the statement made by the representative of Peru in his capacity as coordinator of the Rio Group in New York. I wish, however, to make our voice heard, because Ecuador is an ally of those peace-loving nations that aspire to the peaceful solution of disputes. Ecuador believes in respect for the rule of law, international solidarity, tolerance and full respect for human rights, as well as in the immutable ethical and moral principles by which we should abide in the context of relations among human beings and States. On the basis of the principles and values to which the Ecuadorian nation firmly adheres, we are a strong champion of the Charter of the United Nations.

Ecuador wishes to reiterate to the Security Council and to the international community its strongest support for the any initiative or action undertaken to fight international terrorism in all its forms and manifestations. However, such action should always be undertaken in the framework of the United Nations, which has a central role to play as the premier multilateral body ensuring respect for international law and human rights. We are therefore firmly convinced that this global threat must be dealt with firmly, in a concerted manner and with all the ways and means that international and national law make available to States.

My delegation would like once again to reiterate its categorical condemnation of terrorism in all its

forms and manifestations and calls on the international community to redouble its efforts to seek the necessary consensus, with a view to giving the international community a sufficiently broad multilateral legal framework for the global fight against terrorism, while at the same time preserving the fundamental rights and dignity of human beings. We must adopt legislation against those acts and penalize them more severely to prevent them from taking innocent life, causing enormous material damage and affecting sociopolitical and economic structures of the international community to satisfy the perverse and execrable purposes of their masterminds.

My delegation wished to say this because, while we frequently bury ourselves in long and unfruitful etymological or conceptual discussions, men, women and children in every corner of the world — defenceless, innocent people — continue to be the victims of these unacceptable, indiscriminate and, from any point of view, unjustified terrorist acts. The perpetrators, accomplices and dissimulators, in making violence and terror their way of life, claim to justify their acts by wrongly attaching to them some kind of foundation or principle, some ideological, religious or other singularity.

However, my delegation also wishes to point out to this body that hunger, unhealthy conditions, poverty, great economic disparities, failure to respect human rights, corruption, the handling of divergencies and conflicts in non-peaceful ways and the overwhelming external debt burden are all sources of international instability and insecurity. They undermine governability and destabilize democratic institutions. It is therefore of paramount importance that the international community be fully aware that these harsh daily realities of developing countries are also a threat to world security, since they cause the loss of thousands of human lives around the world every day.

Thus, the international community must, concurrent with its frontal attack on terrorism, undertake a broad and concerted global strategy to promote development and improve the standards of living of the great majority of the world's population and develop dialogue and tolerance among human beings as well as among States.

As I said yesterday to the Sixth Committee, several years have elapsed and lengthy discussions have taken place on measures to eliminate international terrorism and on the drafts of the comprehensive convention on international terrorism and the international convention for the suppression of acts of nuclear terrorism. They have been analysed yet again in recent days, but, for various reasons, it is not yet possible to guarantee their viability. We reiterate in this forum our appeal to all peoples who hold dear peace and the peaceful solution of conflicts to overcome their differences and to join efforts in the interest of the common good and of international peace, security and concord, with a view to securing a present imbued with progress, development and peaceful co-existence and guaranteeing for coming generations a future in which respect, tolerance, dignity of the human being reign supreme.

Faithful to these beliefs and principles, as well as to its international commitments, the Government of Ecuador has in the past year complied with article 18, paragraph 13, of the United Nations Convention on Transnational Organized Crime relating to the appointment of a central authority and has promulgated the text of the Convention so that it will be a part of our national legal code. Similarly, on 25 February 2003, the Ecuadorian Government ratified the International Convention for the Suppression of the Financing of Terrorism.

Ecuador has done its utmost for the effective application of existing international norms relating to the prevention and suppression of terrorism, especially Security Council resolution 1373 (2001), for which it has developed a wide-ranging strategy that includes legislative, administrative, policing and other measures. At the same time, we are taking steps and exercising the necessary control with regard to the consolidated list prepared by the Security Council Committee established under resolution 1267 (1999). In this connection and on the occasion of the seventeenth Presidential Summit of the Rio Group in May, Ecuador committed itself to strengthening cooperation in the struggle against terrorism and has been participating in efforts within the Organization of American States and in the Andean Community to this end.

The evil activities of terrorist networks have a profound and indiscriminate effect on the entire international community. We cannot remain passive before such a serious global threat. We must ensure peace and the peaceful co-existence that all peoples of the world desire.

The President: I now give the floor to the representative of Armenia.

Mr. Martirosyan (Armenia): First of all, let me congratulate you, Mr. President, on your assuming the presidency of the Council for the month of October and thank you for convening this open meeting on a matter of grave concern to the whole United Nations membership. May I also commend the diligent work of the Counter-Terrorism Committee under the competent leadership of Ambassador Arias.

In the aftermath of the shocking tragedy of 11 September 2001, a broad international coalition emerged to fight the dreadful scourge of terrorism. Alas, we have to admit that, in spite of all the efforts by the international community, terrorism is still on the rise, from Bali to Moscow, from Casablanca to Bombay. Moreover, the very symbol of peace — the United Nations — suffered a brutal terrorist attack in Baghdad this August.

All these events shed new light on the phenomenon of terrorism, since they demonstrate so distinctly that no nation and no individual is immune from this scourge. Terrorism affects the security and political and economic stability of all nations. At the same time, no nation is able to successfully fight this threat alone. As a global threat, terrorism must be fought by means of a broad international reaction in which measures at the national level are complemented and supported by effective regional and international cooperation.

It is imperative that all Member States increase their cooperation in the fight against terrorism and abide by the principles of the international conventions and protocols relating to terrorism. Armenia stresses the significance of an internationally agreed-upon definition of terrorism. We believe that the adoption of a common definition will enhance the collective efforts to eradicate that evil. Armenia is fully committed to continuing to work with the Security Council's Counter-Terrorism Committee established pursuant to resolution 1373 (2001) to combat terrorism, and we are determined to contribute to all actions undertaken by the United Nations towards that end.

Under the provisions of resolution 1373 (2001), we have presented two reports to the Committee, and another is due to be presented by the end of this month. I would like to extend our appreciation to the Committee and its secretariat for the vital contribution they are providing in combating this global evil.

Conferences and seminars under the counter-terrorism agenda taking place in different parts of the world are an encouraging sign of the growing trend toward multilateral cooperation in combating terrorism. These kinds of international and regional events have taken place in Armenia, also with the valuable support of the Counter-Terrorism Committee.

There is nothing inherent in any religion or civilization that generates terrorism. Terrorism by itself is considered primarily the weapon of the politically weak or frustrated, those who believe themselves to be unable to redress their grievances through conventional political or military means.

Whatever the causes, the actions of terrorists can never be justified. However illegitimate terrorism is, the root causes must be addressed for anti-terrorism efforts to have a greater chance of success. We must collectively undertake measures to change policies that victimize vulnerable populations. Such victims often hold others responsible for their suffering and thus become easy recruits for terrorist organizations.

The United Nations should redouble its efforts in the fields of economic development and poverty eradication, since these are strategic battlefields in the war against terrorism. Crafting a policy based on the promotion of and respect for human rights, international law and sustainable development would probably make the world a much safer place.

The President: I now give the floor to the representative of Lebanon.

Mr. Kronfol (Lebanon) (*spoke in Arabic*): There is no doubt that giving Member States the opportunity to participate in the deliberations of the Security Council on the threats to international peace and security as a result of terrorist activities enhances the principle of cooperation, transparency and equality that inspires and guides the work and activities of the Counter-Terrorism Committee.

Allow me, on my country's behalf, to congratulate Ambassador Inocencio Arias on his great skill and his valuable role in ensuring the continued success of the work of the Counter-Terrorism Committee (CTC). We appreciate his detailed briefing on the Committee's programme of work for the coming period, in which he emphasized the importance of the

practical steps the Committee has taken to increase the available resources and develop the capacities of all Member States for the fight against terrorism and his intention to submit a report on the obstacles and difficulties encountered by Member States in honouring their commitments under resolution 1373 (2001). In that context, I should like to stress that Lebanon continues to strongly support the CTC in combating terrorism and to cooperate with it in the implementation of its mandate.

Lebanon strongly condemns and denounces all terrorist acts, including acts of premeditated violence such as murder, assassination, hostage-taking, the hijacking of aircraft, bombings and all other acts targeting civilians. I reiterate that Lebanon stands ready to cooperate with any just and impartial international effort to fight terrorism in all its forms and manifestations.

Lebanon continues to believe that any international effort to suppress terrorism must be based on an understanding of terrorism's root causes and origins in order to diagnose, contain and consequently eradicate the disease — hence the need for a definition of terrorist acts and for the adoption of objective criteria for defining terrorism that are in accordance with the Charter of the United Nations, international legal norms and human rights principles. Such a definition would undoubtedly enhance international cooperation to fight the scourge of terrorism.

Supporting the Security Council's essential role in maintaining international peace and security can be strengthened only by honouring our commitment, as Member States of the Organization, to address the challenges and crises facing the international community by resorting to agreed collective solutions, in conformity with the basic principles of the Charter and of international law. This would help avoid using the international counter-terrorism campaign as a pretext for trampling upon and violating the rights of peoples and jeopardizing the sovereignty and territorial integrity of Member States. Any violation of the Charter, any disregard for or circumvention of the United Nations and its legitimacy, any selectivity in implementing its resolutions, or any attempt to impose external solutions to conflicts represents a grave setback to the credibility of the Organization — including its agencies and, in particular, the Security Council — and a serious blow to the very foundations of the international order. Therefore, Lebanon believes that approaches based on security alone and on partial and phased solutions can never succeed in eradicating the scourge of terrorism, for it is difficult for human societies to achieve security without social, political and economic justice.

Clearly, the effectiveness and success of the CTC depend ultimately on the degree of Member States' compliance with their obligations under resolution 1373 (2001) and other relevant Security Council resolutions, and on support on the part of all Member States and international organizations that play an important role in this area. Lebanon is acting at the regional and international levels and through its national institutions to carry out its obligations under the provisions of the relevant resolutions and the protocols, agreements and conventions to which it is a party, which take precedence over the provisions of Lebanon's domestic laws. Lebanon's counter-terrorism steps are included in the three reports it has submitted to the Security Council Committee established pursuant to resolution 1373 (2001), contained in documents S/2001/1201, S/2002/728 and S/2003/451; and in its report submitted under resolution 1455 (2003), contained in document S/AC.37/2003/(1455)/60.

Lebanon looks forward to continuing its cooperation with you, Mr. President, and with the international effort to help to find just and comprehensive solutions to address the scourge of terrorism from which the international community is suffering.

The President: I give the floor to Ambassador Arias should he wish to make any further comment.

Mr. Arias (*spoke in Spanish*): I should just like to thank the people who addressed kind words to me and to the Committee. We have taken note of their suggestions on ways to improve the Committee.

The President: The representative of Pakistan has asked to take the floor.

Mr. Khalid (Pakistan): I apologize for taking the floor, given the lateness of the hour. I shall respond briefly to the points raised by the representative of India. We deeply regret that he used this platform once again to defame Pakistan and to indulge in fabricated allegations. Incidentally, he made the same allegations yesterday in the Sixth Committee. We categorically reject all of those allegations as false, malicious and self-serving.

Pakistan is proud of its role as a front-line State in the fight against terrorism. Our law-enforcement agencies are engaged in carrying out interdiction operations against suspected terrorists — especially along the Pakistan-Afghanistan border — and that fact is well known to the world. All allegations of Taliban elements regrouping in Pakistan are misleading and totally wrong.

The Indian representative made a reference to a so-called assumption, based on an investigation in Austria, that the grenades used in the attack on the Indian Parliament on 13 December 2001 were produced in Pakistan. This is nothing but sheer propaganda. If the Austrian company that was actually the subject of these investigations had exported these grenades to Pakistan, one could not rule out the possibility of similar export to other countries, including India.

As far as yesterday's article in *The New York Times* is concerned, we have shared the information with the concerned Security Council Committee. We are certain that the article is based on false information that must have been shared by the interested quarters, who spare no opportunity to malign Pakistan. In fact, the Indian allegations are an attempt to deflect international attention away from the reign of terror it has unleashed on the innocent people of occupied Jammu and Kashmir in order to suppress their legitimate struggle for the right to self-determination.

India's oppressive policies in occupied Jammu and Kashmir constitute the worst forms of State terrorism. As our Secretary-General has said:

> "Internationally, we are beginning to see the increasing use of what I call the 'T-word' — terrorism — to demonize political opponents, to throttle freedom of speech and the press, and to delegitimize legitimate political grievances. We are seeing too many cases where States living in tension with their neighbours make opportunistic use of the fight against terrorism to threaten or justify new military action on long-running disputes." (*SG/SM/8518*)

India indeed knows a lot about terrorism. It has indulged in the worst form of terrorism against its own nationals. Last year, the killing of 2,000 Muslims in the Indian State of Gujarat was a living example. It is a pity that India gets away with such acts in the name of democracy and secularism. India has sponsored terrorism against each one of its neighbours. One just has to read the book entitled *Indian Intervention in Sri Lanka: The Role of India's Intelligence Services* by Rohan Gunaratna. The book says:

> "More than 20,000 Tamil militants were based in India. The first and second batch of training was provided by the Indian Foreign Intelligence Agency, the Research and Analysis Wing, in Uttar Pradesh and Himachal Pradesh at two Indian military facilities. After that ... they set up their own training camps in South India."

There are well-documented reports that the Indian intelligence agencies have sponsored and directed renegade groups of Kashmiris to perpetrate terrorist actions within Indian-occupied Kashmir as a means of defaming the Kashmiri freedom struggle and intimidating the Kashmiri people. This is recorded by Human Rights Watch and Amnesty International and in other credible reports.

We will shortly communicate to the Counter-Terrorism Committee information on the activities of India's consulates in Afghanistan in promoting terrorism in Pakistan. Specific information will be provided to the Chairman of the Committee on a confidential basis. If the Indians so desire, we can share this information publicly.

The President: There are no further speakers inscribed on my list.

After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

> "The Security Council welcomes the briefing by the Chairman of the Counter-Terrorism Committee (CTC) on the work of the Committee.
>
> "The Security Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed.
>
> "The Security Council recalls the statement of its President of 4 April 2003 (S/PRST/2003/3), which recorded its intention to review the structure and activities of the CTC no later than 4

October 2003. The Council confirms the continuation of the current arrangements for the Bureau of the Committee for a further six months. It invites the Counter-Terrorism Committee to pursue its agenda as set out in the work programme for the Counter-Terrorism Committee's ninth 90-day period (S/2003/995), focusing on practical measures designed to increase the means available to States to combat terrorism, helping States identify the problems faced by States in implementing resolution 1373 (2001), attempting to find solutions to them, working to increase the number of States which are parties to the international conventions and protocols related to counter-terrorism, and deepening its dialogue with international, regional, and subregional organizations active in the areas covered by the resolution. The Security Council invites these organizations to continue to find ways of improving their collective action against terrorism and, where appropriate, to work with donor States to establish suitable programmes.

"The Security Council notes that 48 Member States are late in submitting their reports, as called for in resolution 1373 (2001). It calls on them urgently to do so in order to maintain the universality of response which resolution 1373 (2001) requires. By 31 October 2003, the Chairman of the Counter-Terrorism Committee will send to the Security Council the list of the States which at that date are late in submitting their reports.

"The Security Council invites the Counter-Terrorism Committee to continue reporting on its activities at regular intervals and expresses its intention to review the structure and activities of the CTC no later than 4 April 2004."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2003/17.

The Security Council has thus concluded the present stage in its consideration of the item on its agenda.

The meeting rose at 6.30 p.m.

United Nations S/PV.4846

Security Council

Fifty-eighth year

Provisional

4846th meeting

Tuesday, 21 October 2003, 10 a.m.

New York

President:	Mr. Negroponte	(United States of America)
Members:	Angola	Mr. Lucas
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Tidjani
	Chile	Mr. Maquieira
	China	Mr. Wang Guangya
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Guinea	Mr. Sow
	Mexico	Mr. Aguilar Zinser
	Pakistan	Mr. Khalid
	Russian Federation	Mr. Gatilov
	Spain	Ms. Menéndez
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry

Agenda

The situation in the Middle East, including the Palestinian question

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-57243 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Council will hear a briefing by Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs, to whom I give the floor.

Mr. Prendergast: We are meeting at a low point. It is urgent to re-establish momentum towards a just, lasting and comprehensive peace in the Middle East. Sadly, however, the trend is increasingly in the opposite direction. Instead of moving forward, we are seeing backward movement, away from a peaceful settlement and away from the negotiating table. Instead of mutually reinforcing confidence-building measures, we are seeing far too much by way of mutually reinforcing confidence-destroying measures. Instead of policies and actions that encourage the parties to move towards one another, meeting in the centre, the effect of actions taken by both Israelis and Palestinians has been to weaken moderates on both sides and to encourage extremists. Suicide bombings, rejectionist language, extrajudicial killings, walls that extend deep into the occupied Palestinian territory, the destruction of homes, expropriations and continued settlement activity lead both Israelis and Palestinians to feelings of hopelessness, despair, hatred, rage and revenge. Worst of all, they leave each side doubting whether it has in the other a partner for peace and questioning the viability of the two-State solution.

Since the previous briefing, we have witnessed an escalation of violence that has crossed previously respected lines, principles and borders. Events during the past month include a suicide bomb in Haifa, the first Israeli air strike into Syria in 30 years, serious and fatal violations of the Blue Line, Israeli army incursions into Rafah in the Gaza Strip, increasingly tight closures in the West Bank and Gaza that have exacerbated the already dire humanitarian conditions of Palestinians and a terrorist attack on a United States diplomatic convoy in Gaza that killed three innocent people. During the past three days alone, 21 Palestinians were killed during Israeli military operations and 3 Israeli soldiers were killed in the West Bank.

It ought to be clear by now that violence only begets violence, and that there is no military solution to the conflict. Lasting stability will be found only when the parties reach a just, lasting and comprehensive peace agreement.

The Secretary-General has repeatedly called on the parties to return to the negotiating table. It is clear, however, that they are unable to do so on their own. The level of trust between them is too low and the lines of communication too weak. This makes it imperative that the international community reassert its role in Middle East peacemaking. The Quartet must assist the parties along the road map to peace. Implementation of the road map has been stalled for too long.

Since the last briefing to the Security Council, 80 people have lost their lives to the Israeli-Palestinian conflict: 27 Israelis, 50 Palestinians and, now, 3 American diplomatic security officers. This raises the death toll since September 2000 to 2,858 Palestinians and 857 Israelis.

On 4 October, a suicide bomber struck a crowded restaurant in Haifa, resulting in a death toll that has recently risen to 21. The casualties were both Jewish and Arab. I reiterate the Secretary-General's strong and consistent condemnation of such acts of terrorism. The deliberate targeting of civilians is a war crime, and cannot be justified by any cause. We call on the Palestinian Authority to bring to justice those who plan and carry out such attacks and to live up to its obligations under the road map as regards security.

On 5 October, Israel launched an air strike against Syrian territory. An attack by one State on another's sovereign territory is a dismaying new escalation in the regional dimension of the conflict. The Secretary-General strongly deplored this action, and called on all

sides to exercise restraint. By disturbing a front that has been stable for many years, the Israeli action risks broadening and deepening the already complex network of conflicts in the region and encouraging extremists everywhere.

Since 9 October, the Israeli army has conducted operations in Rafah, in the southern Gaza Strip, aimed, according to the Government of Israel, at destroying tunnels used for the smuggling of arms. According to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), 12 Palestinians were killed, including 2 children and an UNRWA schoolteacher. UNRWA reports that 189 buildings were demolished or rendered uninhabitable, and some 1,780 people have lost their homes as of 20 October.

We recognize Israel's right to defend itself against terrorist attacks. However, the right of self-defence is neither unconditional nor unlimited. It must be exercised in proportionate terms, and in keeping with Israel's obligations under international law. It should not be exercised in such a way that large numbers of Palestinians are made to suffer for the acts of a violent minority. The consequences of these actions could be viewed as collective punishment, which is a violation of international humanitarian law.

On 15 October, last week, a bomb attack in the Gaza Strip on a United States diplomatic convoy resulted in the deaths of three American security officers. This deliberate attack on diplomatic personnel, which we condemn in the strongest terms, was unprecedented and completely unacceptable. The Secretary-General has condemned it as a terrorist act. The bombing, which was clearly carefully planned, represents a worrying widening of the conflict, and raises serious security concerns for United Nations and international personnel working in Gaza.

Yesterday, at least 14 Palestinians were killed, with scores of civilian casualties, in a series of Israeli air strikes on Gaza. These attacks appeared to be aimed at carrying out extrajudicial killings. They followed a series of rocket attacks by Palestinians into southern Israel. Again, Israel has conducted military operations in crowded civilian areas, with sadly predictable results. We once more call on the Government of Israel to cease the use of disproportionate and indiscriminate force in civilian areas. We also again call for a halt to extrajudicial killings.

If the parties are to re-engage with the negotiation process, they must be in a position to send to the negotiating table representatives who can commit to credible confidence-building measures.

In this connection, we note the Palestinian Authority's efforts to appoint a new prime minister. As called for in the road map, that prime minister should be empowered and credible, and, with the Minister of the Interior, should be the person to whom consolidated Palestinian security forces would report. We would expect the new prime minister to take immediate steps to establish law and order, diminish violence and start operations to confront those who engage in terror. These steps would begin to address Israel's security concerns and build the confidence necessary to develop a partnership for peace.

For its part, in keeping with its obligations under the road map, and in order to build confidence on the Palestinian side, the Government of Israel must reverse its policy of settlement expansion and implement a settlement freeze. In addition, it must halt construction of the security wall that it is building on Palestinian land and remove those sections already constructed. These steps would begin to address Palestinian concerns about the viability of the future Palestinian State and assist in building support among the Palestinian people for the peace process.

The Quartet principals — the Secretary-General, Russian Foreign Minister Ivanov, United States Secretary of State Powell, Italian Foreign Minister Frattini, European Union High Representative Solana and European Commissioner Patten — met on 26 September to review the situation in the Middle East. The Principals noted that they viewed the situation with great concern, and reaffirmed their commitment to continue working together to achieve progress towards peace. They remained eager to assist the parties to meet their road map obligations. In his own capacity, the Secretary-General called for a revitalized and active international involvement, asserting that, if steps are not taken, all of us will pay a heavy price.

Let me mention a rare positive note amid the general gloom, in the shape of the track-two effort referred to as the Geneva Accord. Mr. Yossi Beilin and Mr. Yasser Abed Rabbo and others have reportedly led Israelis and Palestinians through a process of imagining a future final status settlement that details

possible solutions based on the same goal as that of the road map: a two-State solution and the end to occupation. The Secretariat has not yet seen the text of this plan, and we cannot comment on the details. But we welcome any initiatives that bring Israelis and Palestinians together to discuss their common future. Real and lasting peace will be made as much by people working together for reconciliation as it will be by official parties reaching agreement. However, there is no substitute for the official representatives of the Israeli and Palestinian people returning to the negotiating table and progressing down the road to peace, as called for in the road map.

The disappointing setbacks in the quest for peace have had a continuing deleterious effect on humanitarian conditions in the occupied Palestinian territory. We continue to observe increased economic hardship and further reduced capacity of the Palestinian Authority to deliver essential services to its population. Unemployment rates in the West Bank and Gaza Strip have risen to 36 per cent, and the number of Palestinians below the poverty line is at 60 per cent.

Severe restrictions on the movement of humanitarian goods and aid workers remain in place. The aid and donor community recognizes Israel's security concerns and wishes to be responsive to them. However, donors fail to understand the logic of measures that increase insecurity for the civilian population and the aid community, and that raise the complexity and cost of providing assistance. The aid community feels that the Government of Israel has thus far failed to appoint a high-level empowered interlocutor to discuss these policy issues, and that, as a result, it has to spend substantial time responding to unpredictable and seemingly arbitrary regulations and procedures that make its work increasingly expensive, dangerous and frustrating.

A meeting of the capitals-level Ad Hoc Liaison Committee, which is composed of key donors, is scheduled to take place on 18 and19 November. The meeting will enable donors to discuss Palestinian economic stabilization and emergency needs. The Ad Hoc Liaison Committee will also address the donor community's ongoing support to the Palestinian Authority's reform efforts and the problems encountered in this endeavour. The meeting will coincide with the launch of the United Nations Consolidated Appeal, which highlights the need to address the deepening humanitarian crisis faced in the occupied Palestinian territory.

Allow me to say a word about the construction of the separation barrier, or wall, which continues to deeply worry not only Palestinians but the international community as a whole. Over the last month, the speed of construction has accelerated. In a recently released report, the co-chairs of the all-donor Local Aid Coordination Committee — namely, the Office of the United Nations Special Coordinator in the Occupied Territories (UNSCO), the World Bank and Norway — drew particular attention to the rapid expansion of Israel's separation barrier around East Jerusalem. There alone, the wall affects tens of thousands of Palestinians as it divides communities and families and threatens to seal Jerusalem off from the rest of the West Bank. Palestinians along the barrier's route face land loss and severely restricted access to jobs, markets and essential social services. We repeat our call to the Israeli authorities to halt construction of the wall.

On 2 October the Israel Defense Forces (IDF) issued an extensive military order declaring those areas between the separation wall and the Green Line to be militarily closed areas. The order covers the entire northern trajectory of the wall — approximately 25,000 acres, where as many as 12,000 Palestinians would be left in enclaves between the wall and the Green Line. The order prohibits any person from entering or exiting these areas except, as it states, "those entitled to the law of return, Israelis, or Palestinians who have special permanent or temporary permits". It explicitly specifies that people age 12 and older who resided in those areas before the military order was issued must now have entry permits to continue doing so. Free access will be granted only to Israelis. The order marks an unacceptable deepening of restrictions against the Palestinians caught between the barrier and the Green Line.

Recent incidents along the Blue Line and in the region have heightened tensions and highlight the fragility of the situation. The day after the 5 October Israeli air strike into Syria, two hostile incidents occurred along the Blue Line. In the first, on 6 October, it was reported that sniper fire from the Lebanese side of the Blue Line killed an Israeli soldier in an area south of Metulla. Subsequent IDF retaliatory fire damaged a passing United Nations Interim Force in Lebanon (UNIFIL) vehicle, but caused no injuries.

On 7 October, three rockets were fired towards Israel from the general area of Hula on the Lebanese side of the Line. Two landed inside Lebanon, one on a house, killing one child and seriously injuring another. The third rocket impacted on the Israeli side, constituting a violation but causing no damage. These events underscore yet again the need for the Government of Lebanon to exert control over the use of force from the whole of its territory.

The spiral of events of the first week of October illustrates the significant potential for escalation within the region. With that in mind, on the instructions of the Secretary-General, the United Nations Special Coordinator for the Middle East Peace Process, Mr. Roed-Larsen, travelled to Beirut and Damascus on 8 and 9 October to discuss the regional situation with leaders in both countries. Mr. Roed-Larsen also discussed the situation with Israeli officials. In his meetings in all three countries, he noted that attacks and counter attacks would lead all concerned down a steep and precarious path towards more violence. And, on the Secretary-General's behalf, he advised all parties not to travel down that disastrous road.

It is of paramount importance that all parties exercise the utmost restraint and work through diplomatic channels to resolve their differences. In that regard, the Secretary-General appreciates the approach of the Governments of Syria and Lebanon of turning to the Security Council for redress in response to the Israeli strike. I would also note the Lebanese Central Security Council's statement of commitment last week to preserving calm, security and stability in the country. The Lebanese authorities should be encouraged and supported in this effort.

I would note here that Israeli overflights, which had declined in number in the latter part of September, have showed a marked increase since early October. The continued air violations are not helpful.

In conclusion, let me say that we are living through difficult and dangerous days. The region is faced with a potential broadening and deepening of interlinked conflicts. This is a time for restraint, not incitement. It is a time for statesmanship, not opportunism. It is a time for the parties to look to the longer term and to think of what kind of world they want their children and grandchildren to live in.

The vision of two States, Israel and Palestine, living side by side in peace and security must remain our goal. That vision is part of a just, lasting and comprehensive peace in the Middle East, including the Syrian and Lebanese tracks. The road map still offers a viable instrument to get from here to there. But if we are to achieve that vision, it is essential that there be a return to the negotiating table and, meanwhile, not only that restraint be exercised but that there be an end to all acts that undermine confidence among the parties.

There has to be a better way. We cannot continue to lurch from crisis to crisis. Israelis and Palestinians alike feel exhausted by today, and fearful for tomorrow. We have to break the cycle of violence, revenge and escalation. We need to work together to find that better way.

The President: I thank Sir Kieran for his comprehensive briefing. In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on this subject.

The meeting rose at 10.40 a.m.

United Nations S/PV.4847

Security Council

Distr.: General
23 October 2003

Original: English

Official communiqué of the 4847th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Thursday, 23 October 2003, at 3 p.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 23 October 2003, the Security Council, pursuant to annex II, sections A and B of resolution 1353 (2001), held its 4847th meeting in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara (MINURSO).

"The Security Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Mr. Dmitry Titov, Director of the Africa Division of the Department of Peacekeeping Operations.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

03-57786 (E) 231003

United Nations S/PV.4848

Security Council

Fifty-eighth year

Provisional

4848th meeting

Friday, 24 October 2003, 3 p.m.

New York

President:	Mr. Negroponte	(United States of America)
Members:	Angola	Mr. Gaspar Martins
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Tidjani
	Chile	Mr. Muñoz
	China	Mr. Zhang Yishan
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Guinea	Mr. Boubacar Diallo
	Mexico	Mr. Aguilar Zinser
	Pakistan	Mr. Khalid
	Russian Federation	Mr. Konuzin
	Spain	Ms. Menéndez
	Syrian Arab Republic	Mr. Atieh
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry

Agenda

The situation in Afghanistan

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-57838 (E)

The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Afghanistan

The President: I should like to inform the Council that I have received a letter from the representative of Afghanistan in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Farhādi (Afghanistan) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations and in absence of objection, I shall take it that the Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

It is so decided.

At the invitation of the President, Mr. Guéhenno took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

Mr. Guéhenno (*spoke in French*): When the Security Council was last briefed on the situation in Afghanistan some two months ago, the prevailing concern was the deteriorating security situation across large areas of the country.

The past few weeks are a reminder that, as the final and most important stages of the peace process move ahead, many of the fundamental and structural causes of insecurity remain unresolved. This was recently clearly demonstrated in the north, when on 9 October, after months of relative calm, the arrest of elements affiliated with Jamiat sparked factional tensions that flared into the worst fighting in the region since the signing of the Bonn Agreement.

Sporadic tribal and inter-factional conflicts also contribute to insecurity in the provinces of the south, southeast and east, but the primary source of insecurity remains the risk of terrorist attacks and continued and sizeable cross-border infiltration by suspected Taliban, Al Qaeda, and Hizb-I-Islami elements. With the exception of Badakhshan province, every border district — from Nimroz province in the southwest to Nuristan province in the northeast — was classified as high risk in the latest assessment of the United Nations Security Coordinator (UNSECOORD) on 15 October. Indeed, in several border districts — Maruf in Kandahar and Barmal and Gayan in Paktika — the Taliban have been able to establish de facto control over district administration.

Attacks by terrorists against Government, military and humanitarian personnel are steadily increasing. Recent attacks against humanitarian organizations have primarily targeted national, rather than international, personnel. In the past six weeks, four national staff of the Danish Committee for Aid to Afghan Refugees (DACAAR), a non-governmental organization (NGO), were murdered by Taliban in Ghazni on 8 September. According to the sole survivor, before being shot, the victims were informed that they were to be killed as punishment for working with NGOs. This incident was followed by the killing on 24 September of two staff members of the Voluntary Association for Rehabilitation of Afghanistan (VARA), an Afghan NGO, in Helmand province. And, on 27 September, in the same province, seven security guards from the Arghandab Valley Authority were killed in Lashkar Gah city when their vehicle was struck by a rocket-propelled grenade. These three incidents are only the most serious; elsewhere, mine-clearance teams and clearly marked NGO vehicles and offices have come under attack.

Caution must be exercised in attributing all significant incidents to Taliban forces, as there other, non-Taliban forces that also take advantage of instability, including narcotics traffickers. Yet, regardless of the identity or the origin of the

perpetrators, attacks against humanitarian workers seriously jeopardize the safety of personnel and limit the ability to effectively conduct reconstruction and to support political activities.

The trend towards targeting civilians who support the central Government and the peace process supports the view that the United Nations itself must also be seen as a target. As a result of increased terrorist activities, the United Nations and humanitarian community have taken further security precautions, particularly in the south. All United Nations missions are temporarily suspended in Nimroz, Helmand, Uruzgan and Zabul provinces. In Kandahar, armed escorts are required in four districts, and the missions are suspended in the other five. Following the killings in Helmand province on 24 and 27 September, to which I have just referred, the majority of humanitarian organizations working in that part of the country have imposed a travel ban outside Kandahar city and its immediate environs. Those security precautions — particularly the suspension of operations — are considerably restricting reconstruction and the political process, including the ability of the United Nations Assistance Mission in Afghanistan (UNAMA) to ensure effective monitoring of the registration of electors for the Constitutional Loya Jirga in the south of the country.

(spoke in English)

Despite serious challenges, the Afghan Government has made some progress in addressing the causes of insecurity. First among those steps, reform of the senior level of the Ministry of Defence has been completed. On 20 September, President Karzai announced the list of appointees to the twenty-two senior positions within the new organizational structure. The appointment of those individuals has gone some way towards better representation of the full ethnic and geographic diversity of Afghanistan, and should bring a level of professionalism and accountability to a State institution largely seen as above the law.

Credible reform of the Ministry of Defence has been regarded as a prerequisite for successfully disarming factional armies. Of concern are indications that the majority of Afghans — particularly among the Pashtun population in the south — believe the reform has kept real power in the hands of the Panjshiris. The new Ministry of Defence will have to quickly prove that it is pursuing a national policy, despite the continuity provided by Minister Fahim and the new Panjshiri chief of staff, Bismillah Khan, and that the newly appointed staff have effective responsibility and authority.

Although the reform was less sweeping than expected, it marked a step in the right direction to permit the pilot disarmament, demobilization, and reintegration (DDR) programme to proceed, starting today in Kunduz. The initiation of the DDR programme ahead of the election of the majority of Constitutional Loya Jirga delegates should help to alleviate concerns over the constitutional deliberations. The programme's success, meanwhile, should provide the best indication of whether reform of the Ministry of Defence went far enough to generate the public confidence necessary for undertaking the full DDR exercise, and it will be a primary determinant of the extent to which the population at large believes that the outcome of national political processes is based not on the rule of the gun, but on the popular will of the Afghan people. Further reforms are needed in national security ministries and all other government ministries — which remain influenced by factional and ethnic interests — so that they become the levers of the State instruments of a national system of government.

Allow me to briefly bring the Council up to date on the status of the constitutional reform and the electoral registration. In September, in consultation with the Secretariat of the Constitutional Commission, President Karzai postponed the Constitutional Loya Jirga until the end of Ramadan, between the end of November and early December. The revised schedule — which is still within the timetable set by Bonn — has provided the Commission more time for finalizing the draft constitution, which is now with the President.

Five hundred delegates will participate in the Constitutional Loya Jirga, of whom 344 will be elected on a provincial basis by the district representatives of the 2002 Emergency Loya Jirga, who make up the electorate that will vote for the elected Constitutional Loya Jirga delegates. The registration of that electorate began on 28 September in all provinces except Kunduz, where it began on 22 September, and in the eastern region, where it began on 1 October. To date, the registration process has been completed in some 20 provinces. It is estimated that nearly 76 per cent of the electorate has been registered in those areas. For the

2002 Emergency Loya Jirga, 25 districts did not elect representatives. Therefore, by-elections have been held to add those districts to the electorate. The by-elections, held so far in 24 out of the 25 districts — the exception was Daulat Yar, in Ghor province — have added approximately 1,000 voters to the electorate.

There has been some concern regarding registration in Logar, Samangan, Sari Pul and Ghor provinces, where higher than expected percentages of the electorate did not register. In some areas, that was due to problems with travel or to absence for work abroad, but elsewhere it was attributable to insecurity caused by factional fighting and to intimidation by local authorities and commanders. The Secretariat of the Constitutional Commission is considering ways to ensure that district representatives in those areas are given an opportunity to register at a later stage.

In order to minimize potential acts of intimidation and violence against candidates, actual election of delegates is scheduled to take place just ahead of the Loya Jirga, with the exception of Badakhshan, where the onset of winter has necessitated early elections. But that is not expected to jeopardize delegates, as the north-east region has not experienced any security incidents during the registration phase. The rules of procedure for the Constitutional Loya Jirga elections have been finalized and distributed to all regions along with the final seat allocation per province. National advisory committees for special-category elections — including women, refugees and internally displaced persons, nomads and Hindus and Sikhs — are being established to provide guidance and oversight on nomination and election procedures as well as to assist in public education regarding the electoral process.

The adoption of a new Afghan constitution by a Constitutional Loya Jirga will establish the legal foundation for re-establishing the rule of law and for ongoing reconstruction efforts. It will also determine the form of government and thus provide the basis for national elections.

The legal and institutional structures necessary for the national election are gradually being put in place. The registration decree, establishing the guidelines for who is eligible to vote, was finalized on 9 September and the political parties law, laying out the legal framework for the formation of political parties, was ratified on 12 October. The Ministry of Justice has received requests for registration from more than 100 parties. Although the final political parties law is an improvement on the original draft, it is less than perfect. In particular, there may be room for concern regarding parties' rights to assembly and free expression as well as the threshold for parties' being dissolved by the Government.

The timeline for deployment of the registration teams has been moved back from 15 October 2003, as originally envisioned, to 1 December. Deployment will begin in the eight regional centres. As soon as possible thereafter, registration will begin in 20 to 25 additional urban sites — preferably where there is a United Nations presence, and, obviously, subject to security assessments. That decision was taken because the current availability of funds was insufficient to implement the previous strategy of a broader start.

The establishment of the regional offices of the Interim Afghan Electoral Commission will be completed in the coming days. The immediate task facing the Commission is to begin hiring the 800 registrars needed so as to ensure that the full complement of trained registrars are ready for December.

The security project to support the registration is also moving ahead. Under the plan, police contingents of four officers — two national and two provincial — will receive special training prior to being assigned to accompany registration teams. In this regard, the recent topping up of the Law and Order Trust Fund for Afghanistan (LOTFA) by the European Union is a positive development.

The success of the disarmament, demobilization and reintegration process and the electoral registration exercise will be dependent upon sufficient improvement in security conditions to allow deployment of staff beyond major urban centres. Indeed, if it were held today, the electoral process would not succeed. Some 60 per cent of the south and some 20 per cent of the south-east and east are at any one time not freely accessible. As this corresponds to areas that are heavily populated by Pashtuns, the result would be disenfranchisement, which would be politically untenable.

The unanimous vote by the Security Council last week approving expansion of the International Security Assistance Force (ISAF) beyond Kabul is a welcome and much-needed development. The new ISAF mandate clears the way for extending international

security assistance to where it is most needed throughout the country, and I would therefore encourage Member States to provide necessary and appropriate resources to do that. ISAF expansion should help to provide a secure environment for the implementation of the Bonn process and to extend the authority of the central Government into the provinces by creating space for new national security institutions, as well as for other nascent State institutions.

The decision by Germany to deploy a Provincial Reconstruction Team (PRT) to Kunduz is a welcome first step — one that will hopefully encourage other countries to consider how they can best contribute. However, the PRT concept provides only some, not all, of the possible benefits of a more robust ISAF expansion. In addition to the PRT concept, a more robust deployment of ISAF peacekeepers, short-term rapid reaction deployments and a presence on major highways — indeed, a mix of approaches for each region — could make major inroads in helping to resolve the security situation. Any initiative to improve the security environment in Afghanistan is welcome, provided that it supports the national agenda of furthering the Bonn process and of expanding Government authority in a coherent, commonly understood and coordinated manner.

The international community has also taken steps to improve the overall security situation in Afghanistan with available assets on the ground. A joint coordination cell has been established to improve coordination between the Afghan Government, the United Nations, NATO and the coalition in support of the Bonn process. The joint coordination cell should assist in coordinating security support and developing operational plans for parallel Bonn activities, particularly in insecure areas, as well as dealing with requests for coalition and ISAF assistance.

Afghans expect their Government to provide security and social services. Without either, confidence in the peace process and the transitional administration will fade, opening the door for Taliban and other anti-Government forces. Insecurity has, without question, slowed the delivery of reconstruction — if not outright prevented it in the most insecure areas. Where construction projects have gone ahead in spite of the dangers posed by Taliban and other insurgents, delays and protective measures for staff have inflated the projected costs of those projects. Too often, this cost has also been paid in human life.

Yet it is also true that when the international donors conference was held in Tokyo in 2002, the extent of Afghanistan's needs was not fully appreciated. At that time, estimates by the World Bank ran upwards of $10 billion. It is now clear that significantly greater resources are required if Afghanistan is to recover from the near total devastation of its infrastructure and social capital after years of war. Whereas in Tokyo donors pledged some $4.5 billion for reconstruction over five years, the Ministry of Finance now believes that $6 billion will be needed each year if its reconstruction needs are to be met.

The recent International Monetary Fund and World Bank meeting in Dubai provided an opportunity for donors to recommit to Afghanistan. The only pledges actually made, however, were the announcement by the United States of some $1.2 billion for Afghanistan, including $600 million for security and $400 million in support of reconstruction, and a commitment by the European Union of 50 million euros to the LOTFA. Ministers and senior representatives from 22 Member States further reaffirmed their commitment to Afghanistan at the high-level ad hoc meeting held on the margins of the General Assembly last month.

Over time, the proportion of funding supplied by domestic revenues and private investment will need to increase, as will the role of national institutions in providing services and protection for the Afghan citizenry. In the meantime, however, Afghanistan is still dependent on the continued support of the international community. Forward momentum across the parallel tracks of security, reconstruction and development and the Bonn political process must be maintained if the institutions of State are to take hold.

Over the long term, guaranteeing peace and stability in Afghanistan will require national unity. The creation of a multi-ethnic Government, bound by a new, broadly agreed constitution, is essential to this process, as only in that way will all Afghans be able to have confidence that the central Government is accountable to and serves the interests of its people.

In the short term, however, there are worrying signs that the political compact that has allowed the Government to press ahead with Bonn in spite of the differences among its individual members may be weakening. Over the past few weeks, the divisions

between those who would turn the corner on Afghanistan's past and those who would preserve their entitlement appear to have deepened. This was most clearly demonstrated by the several meetings held among the so-called jihadi leadership during President Karzai's absence for the General Assembly. Those divisions were later downplayed, but they nonetheless demonstrate that a balance must be struck between moving the peace process forward and ensuring that the major stakeholders remain willing participants.

As the Bonn process enters its final stage, the Afghan Government and the international community will embark upon their most challenging and far-reaching political undertakings. Afghans have many reasons to be optimistic that those undertakings will provide a solid foundation for a stable Afghanistan. However, there are still significant obstacles standing in the way, not least the lack of security. Maintaining the forward momentum that has been building in the months since Bonn will require the determination of the Afghan people and the will of the international community. The expansion of security assistance provides a critical element of this equation; its expected benefits must now be realized.

The President: I thank Mr. Guéhenno for his comprehensive briefing.

In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussions on this subject.

The meeting rose at 3.40 p.m.

United Nations S/PV.4849

Security Council

Fifty-eighth year

Provisional

4849th meeting

Monday, 27 October 2003, 11.10 a.m.

New York

President	Mr. Cunningham	(United States of America)
Members	Angola	Mr. Antonio
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Chungong Ayafor
	Chile	Mr. Maquieira
	China	Mr. Zhang Yishan
	France	Mr. Florent
	Germany	Mr. von Ungern-Sternberg
	Guinea	Mr. Sow
	Mexico	Mr. Pujalte
	Pakistan	Mr. Khalid
	Russian Federation	Mr. Karev
	Spain	Mr. Romeu
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry

Agenda

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

Letter dated 12 September 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/879)

Letter dated 3 October 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/946)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-58077 (E)

The meeting was called to order at 11.10 a.m.

Adoption of the agenda

The agenda was adopted.

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

Letter dated 12 September 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/879)

Letter dated 3 October 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/946)

The President: The Security Council will continue its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2003/1033, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Angola, Bulgaria, Cameroon, Chile, China, France, Germany, Guinea, Mexico, Pakistan, Russian Federation, Spain, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1512 (2003).

After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council.

"The Security Council notes the invitation of the General Assembly contained in operative paragraph 7 of its resolution 57/289 of 20 December 2002 that it address uncertainties regarding the power of the International Criminal Tribunal for Rwanda under its Statute to finance the upgrading of prison accommodation in which persons convicted by the Tribunal are to serve their sentences.

"The Security Council confirms that it is within the lawful powers of the International Criminal Tribunal for Rwanda under its Statute to fund the renovation and refurbishment of prison facilities in States that have concluded agreements with the United Nations for the carrying out of prison sentences of the Tribunal. Such funds shall be used to bring up to international minimum standards the prison accommodation to be occupied or used, pursuant to those agreements.

"The Security Council will remain seized of this matter."

That statement will be issued as a document of the Security Council under the symbol S/PRST/2003/18.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 11.15 a.m.

United Nations S/PV.4850

Security Council

Fifty-eighth year

Provisional

4850th meeting

Tuesday, 28 October 2003, 3 p.m.

New York

President	Mr. Negroponte	(United States of America)
Members	Angola	Mr. Antonio
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Chungong Ayafor
	Chile	Mr. Maquieira
	China	Mr. Zhang Yishan
	France	Mr. Declos
	Germany	Mr. Pleuger
	Guinea	Mr. Sow
	Mexico	Mrs. Escobar
	Pakistan	Mr. Khalid
	Russian Federation	Mr. Smirnov
	Spain	Mr. Arias
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson

Agenda

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/2003/1016)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-58281 (E)

The meeting was called to order at 3 p.m.

Adoption of the agenda

The agenda was adopted

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/2003/1016)

The President: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the situation concerning Western Sahara, document S/2003/1016.

Members of the Council also have before them document S/2003/1034, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by a show of hands.

In favour:

Angola, Bulgaria, Cameroon, Chile, China, France, Germany, Guinea, Mexico, Pakistan, Russian Federation, Spain, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1513 (2003).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 3.15 p.m.